OF

THE SENATE

OF THE

COMMONWEALTH OF KENTUCKY,

BEGUN AND HELD IN THE TOWN OF FRANKFORT, ON MONDAY, THE THIRTY-FIRST DAY OF DECEMBER, IN THE YEAR OF OUR LORD, 1855, AND OF THE COMMONWEALTH, THE SIXTY-FOURTH.

FRANKFORT, KENTUCKY.
A. G. HODGES, STATE PRINTER.
1856.

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COMMONWEATTH OF KENTOURT.

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JOURNAL OF THE SENATE.

At a General Assembly, begun and held for the State of Kentucky, at the Capitol, in the town of Frankfort, on Monday, the 31st day of December, one thousand eight hundred and fifty-five, it being the day appointed by law for the meeting of the General Assembly, James G. Hardy, the Lieutenant Governor, appeared and having taken the several oaths required by the Constitution of the United States, and the Constitution and laws of this State, took his seat as Speaker of the Senate, and the following members of the Senate appeared and took their seats, to-wit:

From the first Senatorial District, George W. Silvertooth; from the second, James D. Headley; from the third, James F. Buckner; from the fifth, John S. McFarland; from the sixth, George Wright; from the seventh, John S. Barlow; from the eighth, C. J. Walton; from the ninth, Shelby Stone; from the tenth, Jesse Woodson Burton; from the thirteenth, Wiley S. Hay; from the fourteenth, Sylvester Harris; from the fifteenth, Charles Ripley; from the sixteenth, William T. Haggin; from the seventeenth, Charles H. Allen; from the eighteenth, William C. Bullock; from the twenty-first, James D. Hardin; from the twentysecond, Daniel Matthewson, from the twenty-third, Robert Blain; from the twenty-fourth, David Irvine; from the twenty-fifth, William C. Gillis; from the twenty-sixth, Samuel Howard; from the twentyeighth, James Sudduth; from the twenty-ninth, Overton P. Hogan; from the thirtieth, John Williams; from the thirty-first, D. Howard Smith; from the thirty-second, Tucker Woodson; from the thirty-third, Theodore Kohlhass; from the thirty-fourth, D. K. Weis; from the thirty-fifth, John A. Cavan; from the thirty-sixth, William H. Wadsworth; from the thirty-seventh, John P. Martin; and from the thirty-eighth, Nathaniel W. Collins.

The said Charles H. Allen, James F. Buckner, Jesse W. Burton, William C. Gillis, William T. Haggin, James D. Headley, Overton P. Hogan, Samuel Howard, David Irvine, John P. Martin, Daniel Matthewson, Charles Ripley, George W. Silvertooth, Shelby Stone, James Sudduth, C. J. Walton, John Williams, and George Wright, who severally produced certificates of their election, and took the several oaths required by the Constitution of the United States, and the Constitution and laws of this State.

Mr. Cavan nominated J. Russell Hawkins as a suitable person to fill the office of Clerk of the Senate during the present session.

Mr. Walton nominated C. Dewitt for the same office; and upon taking the vote it stood thus:

Those who voted for Mr. Hawkins, were-

Robert Blain,
James F. Buckner,
William C. Bullock,
Jesse W. Burton,
John, A. Cavan,
Nathaniel W. Collins,
William C. Gillis,
William T. Haggin,
12 THE RESERVE OF THE PROPERTY

Sylvester Harris,
Wiley S. Hay,
Samuel Howard,
David Irvine,
Theodore Kohlhass,
John S. McFarland,
Charles Ripley,

10, 11010
D. Howard Smith,
Shelby Stone,
James Sudduth,
W. H. Wadsworth,
John Williams,
Tucker Woodson,
George Wright-22.

Those who voted for Mr. Dewitt, were-

Charles H. Allen,
John S. Barlow,
James D. Hardin,
James D Headley

VIIO	, Oloce Tor alle
Ov	erton P. Hogan,
Joh	nn P. Martin,
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J. Russell Hawkins having received a majority of all the votes given was declared duly elected Clerk of the Senate during the present session. Whereupon he took the oath required by the Constitution of this State

Mr. Kohlhass nominated John D. McClure as a proper person to fill the office of Sergeant-at-Arms of the Senate, during the present session.

Mr. Allen nominated D. W. Towles for the same office.

And upon taking the vote it stood thus:

Those who voted for Mr. McClure, were-

1 Hose W
Robert Blain,
James F. Buckner,
William C. Bullock,
Jesse W. Burton,
John A. Cavan,
Nathaniel W. Collins,
William C. Gillis,
William T. Haggin,

10 voted for Mr. Mc
James D. Hardin,
Sylvester, Harris,
Wiley S. Hay,
Samuel Howard,
David Irvine,
Theodore Kohlhass,
John S. McFarland,
Charles Ripley,

D. Howard Smith,
Shelby Stone,
James Sudduth,
W. H. Wadsworth,
John Williams,
Tucker Woodson,
George Wright-23.
Statement I desperted with

Those who voted for Mr. Towles, were-

	H. Allen,
	Barlow,
James I). Headley

no voter	1 101	1411.	10
Overtor	P.	Hoga	an,
John P.	Ma	rtin,	
Daniel .	Mat	thew	son,

George W. Silvertooth,
C. J. Walton,
D. K. Weis-9.

John D. McClure having received a majority of all the votes given, was declared duly elected Sergeant-at-Arms of the Senate during the present session. Whereupon he took the oath required by the Constitution of this State.

Mr. Harris nominated J. W. Pruett as a proper person to fill the office of Doorkeeper of the Senate during the present session.

Mr. Hogan nominated William Sharp for the same office.

And upon taking the vote it stood thus:

Those who voted for Mr. Pruett, were-

Robert Blain,
James F. Buckner,
William C. Bullock,
Jesse W. Burton,
John A. Cavan,
Nathaniel W. Collins,
William C. Gillis,
James D. Hardin,
Sylvester Harris,
Willey S. Hay,
Samuel Howard,
David Irvine,
Theodore Kohlhass,
Charles Ripley,

D. Howard Smith, Shelby Stone, James Sudduth, W. H. Wadsworth, John Williams, Tucker Woodson, George Wright—22

Those who voted for Mr. Sharp, were-

Charles H. Allen,
John S. Barlow,
James D. Headley,
John P. Martin,
Daniel Matthewson,

George W. Silvertooth,
C. J. Walton,
D. K. Weis—9.

Mr. John W. Pruett having received a majority of all the votes given, was declared duly elected Doorkeeper of the Senate during the present session. Whereupon he took the oath required by the Constitution of this State.

Mr. Sudduth nominated George H. McKinney as a suitable person to fill the office of Assistant Clerk of the Senate during the present session.

Mr. Martin nominated Ezekiel Brashears for the same office.

And upon taking the vote it stood thus:

Those who voted for Mr. McKinney, were-

Robert Blain,
James F. Buckner,
William C. Bullock,
Jesse W. Burton,
John A. Cavan,
Nathaniel W. Collins,
William C. Gillis,
William T. Haggin,

Sylvester Harris,
Wiley S. Hay,
Samuel Howard,
David Irvine,
Theodore Kohlhass,
John S. McFarland,
Charles Ripley,

D. Howard Smith,
Shelby Stone,
James Sudduth,
W. H. Wadsworth,
John Williams,
Tucker Woodson,
George Wright—22.

Those who voted for Mr. Brashears, were-

Charles H. Allen,
John S. Barlow,
James D. Hardin,
James D. Headley,

Overton P. Hogan,
John P. Martin,
Daniel Matthewson,
Daniel Matthewson,
D. K. Weis—10.

George H. McKinney having received a majority of all the votes given, was declared duly elected Assistant Clerk of the Senate during the present session. Whereupon he took the oath required by the Constitution of this State.

Mr. Wadsworth moved the following resolution, to-wit:

Resolved, That the rules of the Senate adopted at the last session of the Legislature be now adopted for the government of the Senate until otherwise ordered. Mr. Walton moved the following resolution, to-wit:

Resolved, That a message be sent to the House of Representatives to inform them that the Senate have met, elected their officers, and are now ready to proceed to legislative business.

Which was adopted.

Whereupon, Messrs. Walton and Harris were appointed to bear said message.

Mr. Kohlhass moved the following resolution, to-wit:

Resolved, That a committee of three on the part of the Senate, be appointed to wait upon the Governor, in conjunction with such committee as may be appointed by the House of Representatives, to notify him that the Legislature has convened and organized and is now ready to proceed to legislative business, and to ascertain whether he has any communication to make to this body.

Which was adopted.

Whereupon, Messrs. Kohlhass, Bullock, and Barlow were appointed to bear said message.

And then the Senate adjourned.

TUESDAY, JANUARY 1, 1856.

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Mr. George T. Edwards, Senator elect from the 4th District, appeared, produced a certificate of his election, and took the several oaths required by the Constitution of the United States, and the Constitution and laws of this State.

Mr. William L. Conklin, from the 12th, and Mr. T. W. W. De-Courcey, from the 27th Senatorial District, appeared and took their seats.

Mr. Walton, from the committee appointed to inform the House of Representatives of the organization of the Senate, and their readiness to proceed to legislative business, reported that the committee had discharged the duty assigned them.

A message was received from the House of Representatives, by Mr. Bodley, announcing that the House of Representatives had organized, and that they were now ready to proceed to legislative business.

A message was also received from the House of Representatives by Mr. Menzies, announcing that they had appointed a committee on their part, to act in conjunction with the committee appointed on the part of the Senate, to wait on the Governor, and inform him that the General Assembly had convened, and was now ready to receive any communication he might think proper to make.

The committee heretofore appointed on the part of the Senate retired, and after a short time returned, when Mr. Kohlhass reported: that the joint committee had performed the duty assigned them, and were informed by the Governor, that he would make a communication in writing to each House in a few moments.

A message in writing was received from the Governor, by Mr. Brown, Secretary of State, which was read as follows, viz:

Gentlemen of the Senate and House of Representatives:

You have convened according to the forms of the constitution to deliberate upon, and to provide for, the general welfare and interests of our common constituents. I tender to you my congratulations upon the happy and prosperous condition of our beloved Commonwealth. That heart must indeed be callous, that would not bow in humble and profound gratitude for the extraordinary blessings which have been conferred upon us by a merciful Providence. With the exception of a few localities, we have been blessed during the past year with unusual good health. A season of unprecedented abundance has rewarded the labors of the husbandman, and full and remunerating prices for all the products of the earth, have produced throughout our borders a state of almost unexampled prosperity. Our treasury is abundant and our public debt gradually becoming extinguished. Every pecuniary demand upon the State has been promptly met and discharged.

Blessed with peace—cultivating a soil of the richest and most prolific character, with the heritage of liberty as the birthright of every citizen, governed by a system of equal, just, and salutary laws—with the constitutional guaranty to every one to worship Almighty God according to the dictates of his own conscience—attached to a National Government, which has expanded into a Union of thirty-one sovereign republics, all alike free, inhabited by twenty-five millions of kindred citizens—our people have indeed cause to be grateful to God for his wonderful kindness to us as a State and Nation, and for the infinite wisdom with which he endowed our Fathers who achieved the independence and secured to us the liberty we enjoy.

The constitution of the State having prescribed biennial sessions of the Legislature, it becomes my duty, in giving to you information of the state of the Commonwealth, to refer you to the report of the Audi-

tor for the year 1854, which will be laid before you.

It will be seen, as stated by my predecessor in his last message, that the balance in the treasury on the 10th of October, 1853, was

\$187,632 23. The receipts into the treasury from the 11th October, 1853, to the 10th of October, 1854, amounted to \$697,469 55-making an aggregate of \$885,101 78. This includes not only the revenue for the ordinary expenses of the government, but the tax of five cents on the \$100 for the Sinking Fund, and two cents for Common School purposes. The amount of expenditures for the same period was \$773,381 47—leaving a balance in the treasury on the 10th of October, 1854, of \$111,720 31. During this year, and out of these receipts, there was transferred to the Sinking Fund, for the five cents revenue, taxes on forfeited lands, and tax on insurance offices, \$179,-885 48; there was also transferred for surplus revenue, for the year ending 10th of October, 1853, \$60,000—making, 10th of October, 1854, \$239,845 48. During this year there was also transferred, in like manner, to the School Fund for the two cents revenue, dividends on bank stock, tax on bank stock, and interest on school bonds, the sum of \$89,513 76.

The receipts into the treasury from the 11th of October, 1854, to the 10th of October, 1855, amounted to \$883,707 49. To which the balance in the treasury on the 10th day of October, 1854, of \$111,720 31, added, will make the sum of \$995,427 80. The expenditures, including the transfers to the Sinking and School Funds, amounted to \$739,696 25—leaving in the treasury on the 10th of October, 1855, the sum of \$255,731 55. Of this sum there belonged to the Sinking Fund the sum of \$104,687 54; to the School Fund, \$56,839 90; to ordinary revenue, \$94,204 11—making the total amount, as before stated, \$255,731 55.

During the year there was transferred to the Sinking Fund for the five cents revenue, for taxes on forfeited lands, and on insurance offices, the sum of \$194,846 65; and to the School Fund for the two cents revenue, dividends on bank stock, tax on bank stock, interest on school bonds, &c., \$226,363 11. These items constitute a part of the aggregate expenditures reported for this year. Since the 10th of October, 1855, the above sum of \$104,687 54 has been transferred to the Sinking Fund. Also, the surplus revenue at the close of the fiscal year, amounting to \$76,518 55—leaving in the treasury on the 10th of October, 1855, as ordinary revenue, \$17,685 56. The law requires a surplus to be left of ten thousand dollars, and the residue of the above sum was for outstanding balances against the treasury.

The receipts for the year ending the 10th day of October, 1855, are estimated by the Auditor as follows, viz: The revenue of 1855, amounts to \$717,073 27. Charges, &c., will be about \$50,000. Amount paid previous to the 10th of October, 1855, the sum of \$5,746 79—leaving in the treasury the sum of \$661,326 48. Of this sum.

\$194,507 78 belongs to the Sinking Fund, and \$77,803 12 belongs to the School Fund—making \$272,310 90 to be deducted—leaving for ordinary revenue the sum of \$389,015 58. Estimated receipts of ordinary revenue from other sources, \$139,950. Balance in the treasury on the 10th of October, 1855, \$17,685 56—making the aggregate sum of \$546.651 14.

The estimated expenditures for 1856, \$381,050; estimated debts to be paid, \$160,000—making an aggregate of \$541,050; which would leave a balance in the treasury, on the 10th day of October, 1856, of \$5,601 14.

This view of our finances, while showing a sufficient amount for all the necessary purposes of an economical administration of the government, at the same time admonishes us against any extraordinary or lavish expenditure of the public money. While I would avoid parsimony, I cannot too strongly recommend the observance of a wise and salutary economy in all our public expenditures. A portion of the public revenue has been dedicated by the constitution to the payment of the interest upon the public debt and to its gradual extinction, and while it may be increased, cannot be diminished. It is the settled and fixed policy of our State to extinguish our public debt as rapidly as our resounces will allow, and it is a source of gratification and pride, that the means already dedicated to that end, are ample to pay the interest as it accrues, and if wisely and prudently managed, to extinguish the principal at its maturity.

From the 31st of December, 1853, to the 4th of September, 1855, when the term of my predecessor expired there was paid of the principal of the State debt the sum of \$162,009. Since I have been in office, \$31,000, up to the 30th of November, 1855, have been paidleaving the entire aggregate of our State debt on that day \$5,991,576 73. Of this sum \$600,000 are held by the Southern Bank of Kentucky, the interest upon which it is bound to pay, and for which the State holds that amount of stock, and \$1,369,664 73, are held by the board of education, the interest upon which only may be considered a perpetual charge upon the Sinking Fund. The actual debt, the principal of which has to be provided for, is, therefore, \$4,021,912. Since the 30th of November, 1855, up to which period the above statement is made, there has been redeemed of the public debt the sum of \$14,000. The semi-annual interest due the 1st day of January, 1856. has been forwarded to New York, and will be promptly paid. For details with regard to the public debt, when the bonds were issued, under what law, and when maturing, and for a detailed statement of the resources of the Sinking Fund, I refer you to the report of the commissioners, which will be laid before you.

The total receipts of the Sinking Fund from 1st of January, 1854, to the 10th of October of the same year, including the balance then on hand, were \$391,103 80. The expenditures during the same period were \$242,695 05-leaving a balance in the treasury on the 10th of October, 1854, of \$148,408 75. The receipts from the 10th of October, 1854, to the 10th of October, 1855, including the above balance, were \$662,494 50. The expenditures during the same period were \$519,015 87-leaving a balance in the Treasury on the 10th of October, 1855, of \$143,478 63. From 11th of October, 1855, to 30th of November, 1855, there was transferred to the Sinking Fund, of the surplus revenue, \$76,518 55, and for collection of revenue transferred, the sum of \$104,687 54—the three sums making an aggregate amount of \$324,684 72. The expenditures from the 11th of October, 1855, to 30th of November, \$7,868 50-leaving a balance in the Sinking Fund on the 30th November, 1855, of \$316,816 22. This balance is after the payment of the interest due 1st of January, 1856. This entire surplus may be safely used in purchasing the bonds of the State, and I have accordingly anxiously sought to make such investment. The holders of our bonds, however, seem reluctant to bring them into market, and comparatively a small amount only has been purchased. This fund, by law, remained on deposit in our banks without yielding anything to the Sinking Fund. The commissioners concurred with me that as long as it remained uncalled for in bank, it ought to command some reasonable interest. Accordingly an arrangement was made with the Bank of Kentucky, that it should keep the sum of \$100 000 in the city of New York, without charge for its transfer, for the purpose of purchasing bonds of the State, upon which an interest of three per cent. per annum should be paid, and for the sum of \$210,000 an interest of four cent. should be paid, the whole deposit of \$310,000, or any part of it, to be subject to call by the commissioners, whenever wanted for investment or any other purpose. It is desirable that this fund should be used as speedily as practicable in redeeming our debt, and no pains will be spared to effect that object.

I am happy to inform you that the School Fund is in a healthy and prosperous condition. The interest upon the bonds of the State held by the Board of Education has been regularly and promptly paid by the Commissioners of the Sinking Fund, and all the means set apart and dedicated to common school education have been applied to that purpose. The system is in operation in every county in the Commonwealth. For the detailed operations of the system since the last meeting of the General Assembly, I refer you to the able and satisfactory report of the superintendent for the year 1854, and to the report he will lay before you for the year 1855. The annual resources of the

fund are there set forth in connection with the disbursements for each county of the Commonwealth.

By the 3d section of article 1 of the common school law, it is directed that the balance to the credit of the counties, not called for each year, shall be transferred by the Board of Education to the Commissioners of the Sinking Fund, and that the Governor shall execute a bond of the State thereof to the Board of Education, redeemable at the pleasure of the Legislature, and not transferable, bearing six per cent. interest, payable annually, and specifying therein the amount due to each county. My predecessor, in pursuance of this provision of the law, on the 23d of August, 1855, issued to the Board of Education a bond of the State for \$42,894 72, which added to the bonds previously held by the board, makes the aggregate of bonds \$1,369,664 73. The interest upon these bonds, the dividends upon 735 shares of stock in the Bank of Kentucky, the tax on the capital stock of the Farmers Bank, and the Commercial Bank, and the revenue derived on two cents on the one hundred dollars worth of property in the State, constitute the available resources of this fund. The last Legislature, deeming that the system might be rendered more efficient and useful by additional active means, by an act approved March 7th, 1854, directed that the sense of the qualified voters of the Commonwealth should be taken upon the propriety and expediency of imposing an additional tax of three cents on each one hundred dollars worth of property in the State, for the purpose of increasing this fund. In pursuance of this act, a poll was opened throughout the State, at the last August election, which resulted in a vote of 82,765 for the tax, and 25.239 against it, giving a majority of 57,526 votes.

It will be your privilege to carry into effect this decisive and emphatic expression of the popular will. The means derived from this additional tax, with the other resources at command, will be amply sufficient to sustain and expand the system, which has already achieved so much good for the rising generation. No one who will travel through our State can see without pride and exultation, the great number of school houses which have sprung up in every part of our land, filled with happy and joyous children, eagerly imbibing the rudiments of learning. I need not here dwell upon the importance of education, as the surest guaranty for the perpetuity of our free institutions. With the feelings that are entertained in common by the great mass of our constituents, I am sure that I need not exhort you to foster and protect this great popular interest. It has intertwined itself with the popular heart, and the people have decreed that it shall be placed upon a permanent and enduring basis. With the extension of the system it has become more and more popular. The school-master is no longer

regarded as the hired pedant, but has accorded to him that high position in society which every public benefactor is entitled to. His is regarded as a high and honorable profession, and at no period in the history of our State has the public interest more imperiously demanded that this profession should be fostered and encouraged. The time has passed by when mere labor and bodily toil can make the successful farmer or artisan. The rapid and almost miraculous improvements in machinery, the railroads already constructed and projected, that thread our country, with their massive engines, requiring daily educated labor; the advance in agricultural chemistry; the application of science to the construction of almost every farming implement—all tell us, in language that cannot be mistaken, that the farmer, the artisan, and the day laborer ought to be educated. What can he expect who is thrown upon the world without means and without education; and what a boundless field for success does our country afford to him who is educated, honest and industrious! Yet it is not pretended that a high order of education is requisite for the enterprising young man to enter with success in this race. The elements of an education are all that is absolutely required. Open to him the book of knowledge; teach him how to learn; let him realize that he can become educated. and if gifted with a stout heart, and that iron will which is the element of all success, he will advance in improvement until qualified to fill the various stations in life to which he may be called.

In urging the importance of elementary or common school education. I do not wish by any means to intimate that it is all that the good of the country or the honor or necessities of the State demand. A higher grade of learning is necessary to meet the wants of society. and for a fair development of the genius of our people. As you cultivate the intellect, you aid in the general diffusion of knowledge; and manly sentiment, refined taste, and elevated thought have a selfdiffusive influence wherever found. A higher order of education is necessary to sustain and improve the common school system. A popular demand for education—the first and necessary step for success has already been created. That demand should be supplied by furnishing able and qualified teachers. In the report of the learned and distinguished Superintendent who did more than all others to mature and impart vitality to our present system, this view was suggested. and to my mind conclusively established, as an essential ingredient in the successful operation of our common schools. Dr. Breckinridge proposed that the State should re-organize Transylvania University, make it the head of the common school system, and erect it into a school for the special purpose of educating teachers—but with the collateral design of affording instruction to any who might apply for it.

For the details of his plan, I beg leave to invite your attention to his report for the year 1850. I submit the whole subject to your better judgment, promising my hearty co-operation to whatever may advance the cause of education, or give stability to, or increase the usefulness of, our common school system.

As much of the business of the Superintendent is necessarily connected with the revenue department of the government, I suggest the propriety of his removing his office to the seat of government, where more frequent meetings can be had of the Board of Education, and more efficiency imparted to the system.

The condition of our charitable institutions will be a subject for your inquiry and investigation. You will have before you the reports of those under whose superintendence they are placed, and it will be your duty to see that the humane and philanthrophic object of their establishment has in no manner been misdirected or perverted, and if it has, to apply the necessary corrective.

The claim upon the public benevolence and sympathy in behalf of the lunatic and idiot, of the deaf and dumb, and of the blind, has kept pace with the advance of civilization. Our State was among the first to establish a hospital for the insane. It has been followed by the establishment of another. It has established an asylum for the deaf and dumb, and a school for the education of the blind.

The unfortunate mute, under the fostering care of kind and attentive teachers, has been taught the perfect command of written and printed language, and his advancement in the higher departments of learning is only limited by the degree of his application and genius. The blind have in like manner been instructed in reading, and made useful in various trades and domestic employments.

The asylum for the deaf and dumb is now in the thirty-third year of its existence. It is a State institution, and subject to its control. It has been managed with eminent skill and ability, and its blessings liberally diffused over the country. Its trustees, since the last meeting of the General Assembly, have erected a new and substantial edifice, large enough for their present and prospective wants, instead of attempting to make temporary additions to their old buildings. They will petition the Legislature for some aid to complete their edifice, and I cannot hesitate to commend their application to your favorable consideration.

While, however, modern philanthropy has achieved such triumphs for the mute and the blind, the neglected and loathed idiot, from a belief that his case is beyond the reach of benevolence, is still left in driveling, and, in many cases, squalid imbecility; yet experience has fully established the fact that many if not most idiots are susceptible

of more or less and some of considerable improvement. The experiment of other communities has shown that largely more than half of them can be educated so as to make them self-supporting, and the condition of all greatly emeliorated. We are paying annually from our treasury upwards of \$20,000 for the support of this poor and neglected class of our population. The propriety and expediency of some provision for their education is a subject well worthy of legislative in-

quiry.

Your particular and early attention is respectfully invited to the condition of our State Prison. The present Keeper came into office on the 1st of March, 1855. The number of prisoners then in confinement was 193. The number received since that time has been 118making 311. Of this number 13 have died, and 61 been discharged by expiration of sentence and executive pardon-leaving 237 now in prison. The law contemplates the confinement of these prisoners in solitary cells at night; yet on examination, it will be found that there are not more than 126 cells which can be safely used. These cells are damp and unhealthy, and altogether unworthy of the spirit of the age. The hospital is confined, close, without the possibility of fresh air, and wholly unfit for the purpose. No bedding more than blankets has ever been supplied since it has been a prison. The present energetic and efficient Keeper complained of this almost as soon as he came into office, but the Commissioners of the Sinking Fund did not think that they had the power to remedy the oversight of past Legislatures, and declined to make provision for such bedding as seemed to be demanded by the public sentiment of the country. It will be your duty to take such action on this whole subject as in your wisdom you may deem right and proper. It is well worthy of your serious investigation, whether the partnership feature in the law, between the State and the Keeper may not be abolished with advantage to the Commonwealth. It involves a long and complicated and difficult settlement at the end of each Keeper's term, and what has been an apparent profit to the State, usually dwindles to about the amount guarantied by the contract. I am inclined to think if a reasonable sum were agreed to be paid in gross by the Keeper, either annually or semi-annually, he paying all the expenses of the establishment, and holding the prison as it now is, subject to legislative management, it would be altogether preferable to the present system. It will be for you, however, to investigate this subject and to ascertain what may be done, and to pursue such course as will be most conducive to the public interest. For the operations and business of the institution, since the first of March last, I refer you to the report of the Keeper, which will be laid before you. Before dismissing this subject, I cannot omit to bear my testi-

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mony to the fidelity with which the present Keeper has performed all the duties of his office. It is believed that the prison never has been in better condition, or more prudently managed.

The law of the last session of the General Assembly, abolishing musters, has had the effect to destroy our militia system, and to place the State in a defenseless condition in any sudden emergency. The public arms which had been distributed to the militia, have been scattered, and very many of them can never be restored to the State Arsenal. The requisition of the law of Congress upon the Adjutant General of each State, to make and forward to the President of the United States annually, a return of the militia of the State, with their arms, accoutrements, and ammunition, cannot be complied with. Under the law of 1808, the annual distribution of arms was made according to the strength of the militia reported according to law; but by an act of the last Congress, the distribution is directed to be made according to the number of Representatives and Senators in Congress, with a provision that the Secretary of War shall first equalize, as far as practicable, the number of arms heretofore distributed, so that each State which has received less than its pro rata shall receive a number sufficient to make an equal proportion, according to the number of Representatives and Senators. It is believed that this law will give a largely increased distribution to this State. We have now in the public Arsenal 18 pieces of ordnance, and 3 reported in the hands of the militia; 7,305 stand of muskets, and 1,250 in the hands of the militia; 1,591 rifles, and 230 in the hands of the militia; 179 carbines, and 80 in the hands of the militia; 1,436 swords, and 110 in the hands of the militia; 60 Colt's revolvers, and 4 in the hands of the militia; and 1,975 pistols, and one mortar. Many of these arms are worthless; but such as can be made fit for use, I have ordered to be put and kept in proper condition. I recommend that a committee be appointed to ascertain what proportion of these arms are useless, and what disposition should be made of such as may be found unfit to be repaired.

By an act approved January 9th, 1852, "to provide for the registration of births, deaths, and marriages in Kentucky," it was made the duty of the Assessors, while making their lists of taxable property, to ascertain and record in a separate list, all the births, marriages, and deaths which shall have occurred in their respective counties in the twelve months ending on the 31st day of December last preceding the time of assessment, with all the items of time, place, &c. Under this law three annual reports have been made, and although it is apparent that the returns are not as full and as accurate as they ought to be, from the highly complimentary notices of these reports by those skilled in vital statistics, it is probable that we have been more successful in

collecting accurate information than any of our sister States in the same length of time. The advantages of such registration, when carefully made, and properly and skillfully digested, cannot fail to be seen by any reflecting mind. They may not be so apparent for the first few years, but with each additional year the deductions drawn from well established data will command more and more confidence. The collection of these statistics costs but little, and they teach us where the causes of mortality most abound, "and admonish us to adopt plans for removing malign influences, and for promoting health." They show the average of human existence in different localities, and furnish the basis for the more perfect computations of the chances of life, besides giving many facts of great value to the political economist, as well as the illustration of physiological laws. The reports already published give more or less perfectly the facts of 156,631 persons who have passed the epoch of birth, marriage, or death, viz: 79,226 births; 15,858 marriages; and 35,789 deaths. These records will show the relative health, longevity and fecundity of the free and the slave population of our State. They show how many have died of each disease, in each county, and in the whole State. When greater accuracy has been attained in collecting details, we shall have ascertained the grade of public health with as much certainty as we now know the value of the different kinds of property in the Commonwealth. The amount of time and labor, as well as the minute accuracy required in the formation of all the necessary tables from the mass of undigested returns of the assessors, compelled the Auditor to resort again to the aid of a skillful physician who has devoted special attention to this subject. I recommend that a fair allowance, as heretofore, be made for . this service, and suggest the propriety of passing some permanent law on the subject.

Under an act to provide for a Geological and Mineralogical Survey of the State, approved 6th of March, 1854, my predecessor appointed Mr. David D. Owen, an able and accomplished geologist of enlarged experience and great practical skill, to carry the law into effect. He has been diligently and most industriously engaged, and for the result of his labors I cannot do better than to refer you to the interesting and learned report herewith submitted. It will be seen that his explorations are yet unfinished. Of the importance and value of such a survey as will be made by one so justly celebrated in his profession, I cannot entertain a doubt, nor can I doubt that the incalculable benefit of such a survey will be properly appreciated by the representatives of the people. The development of the mineral wealth of the State, the opening of abundant and inexhaustible supplies of cheap fuel, the quantities, kinds, and varieties of minerals, their locality and geologi-

cal position, and that of the salt, saltpetre, coal, marble, building stone, and rock, the different soils and the means of their improvement and renovation, are some of the fruits to result from this survey. The successful completion of a work which has been inaugurated under such flattering auspices, will not merely advance the cause of science and learning, but cannot fail to add to the substantial riches of the State, and render regions now comparatively sterile and worthless prosperous and wealthy. I cannot hesitate to recommend that a sufficient appropriation be made to progress with or complete the survey.

My predecessor, in his last message, recommended to the Legislature, in order to encourage and foster the agricultural and mechanical interests of the State, that a sum of money should be appropriated for the purpose of dispensing premiums to those who might produce the best fruits, grains, vegetables, animals, agricultural implements, and products of domestic manufactures. I concurred with him in that recommendation when made, and in renewing it I beg that you will bestow upon it your most favorable consideration. These premiums could be awarded in a manner to be prescribed by law, at the mechanical and agricultural exhibitions now established in various parts of the State, and could not fail to be highly beneficial in awakening a friendly rivalry in the productions of mechanical skill, and in the various products of agricultural labor. The beneficial results in other States of our Union, of distributing State premiums at their industrial exhibitions have been felt and acknowledged.

For the present condition of our works of internal improvement, I must refer you to the report of the President of the Board, which will be laid before you at an early day. The dividends from these works are sacredly dedicated by the constitution to the Sinking Fund. No new debt can be contracted on behalf of the Commonwealth, unless provision be at the same time made to lay and collect an annual tax sufficient to pay the interest stipulated, and to discharge the debt within thirty years, nor can such debt be made until the law shall have been submitted to the people at a general election, and shall have received a majority of all the votes cast for and against it. With this salutary constitutional prohibition, there can be no expenditures by the Legislature in new schemes of public improvement. The dividends from some of the public works might be greatly enhanced by their extension, and I recommend that the most liberal inducements should be offered to individuals and companies to effect such extension.

While we cannot increase our public debt, it is gratifying to know that the people of Kentucky are beginning to estimate properly the great advantages of extended railroad improvements, and are making the most active and energetic movements to meet the iron arms that our sister States are extending towards our borders. It is not too visionary to look forward to the day when the road from the mouth of Big Sandy shall be completed to the Mississippi river, and constitute a link in the great Atlantic and Pacific route, which must sooner or later be made, in order to bind together by irons bands the now distant parts

of this great confederacy.

The banks of our State are in a sound and prosperous condition. They have generally been judiciously conducted, and will compare favorably with similar institutions in any other State. They afford a currency of uniform value, and the public confidence in their solvency is unshaken. There is no subject in which the community is more vitally interested than in having a sound and convertible currency. To avoid the fictitious value too often attached to property, to prevent the multiplication of schemes of visionary speculation, to escape the indiscreet betrayal into increased indebtedness and a more extended business, presenting that delusive, artificial, and transient prosperity which is so often the forerunner of bankruptcy, there ought to be no unnecessary or unsafe expansion of the currency. There is no fact in political economy better established than that an excess of paper issues leads to the exportation of the precious metals. It lessens the capacity of the banks to redeem their paper, and produces those constant fluctuations which are so disastrous to the best interests of the community. If not the direct cause, it is inseparably connected with those revulsions and monetary revolutions, which have visited our country at such short intervals.

With these convictions on my mind, I do not think that it would add anything to the prosperity of the State to increase the number of our banks. All the banks in the State have now the right to issue one dollar bills. I recommend a prohibition of the issue or circulation, after a specified time, of any bank note of a less denomination than five dollars. I do not doubt but that the banks will conform to the legislative wish upon this subject. By making the measure prospective, gold and silver will soon supply the vacuum caused by the withdrawal of the small bills, and the wholesome change will be almost imperceptibly effected.

By section 24 of article 4 of the Constitution, the General Assembly, if they deem it necessary, may establish one additional judicial district every four years. In some parts of the State there are great complaints of the want of time to discharge the judicial business, and it has accumulated to such an extent as to be almost a denial of justice. I recommend, therefore, that you increase the judicial districts

of the State as far as you are authorized to do by the Constitution, and equalize the labors of all as far as it may be in your power.

I am unwilling to close this communication without calling your attention to the present condition of our federal relations. Kentucky being a border slave State has had more cause to complain of the agitations of fanaticism, and of the practical encroachments upon her rights, than perhaps any other State of the confederacy, yet she has manifested no other spirit than that of conciliation and calm forbearance; and in those angry sectional conflicts which have convulsed the nation she has stood almost as an arbiter between the north and the south, and whenever the Union was supposed to be in danger she has not hesitated to yield her opinions and her interests as a sacrifice upon the altar of patriotism. With such feelings deeply imbedded in the popular heart, she has witnessed with pain and mortification the alarming strides that are making by a great and growing sectional party in the north to obliterate the constitutional guaranty of her rights, and to weaken if not to sever the ties by which we are bound together in a common brotherhood. She has lamented and mourned over that wild and reckless spirit which has hurried the descendants of the heroes of Bunker Hill and Lexington to a desecration of the Federal Constitution, by an attempted nullification of a supreme law of the land, made in pursuance of its provisions. She has seen with dismay and consternation this spirit of discord enter into the sanctuary of our national liberties. She still looks to the Union as the best if not the only security for her peace and happiness, and a faithful and honest support of the constitution as the only guaranty of liberty.

There are certain great and fundamental principles which are monopolized by no party, which rise above all party claim, and which it would be profanation to surrender to party use. These principles lie at the foundation of our government, and guaranty a perfect equality of right to each and every State of this confederacy. It was the only condition upon which the Union could have been formed, and it is the only one upon which it can be preserved. It is the fundamental basis not only of the general welfare, but in all human probability, of liberty itself. The most emphatic words of the Father of his Country, and the most impassioned declamation of the orator as to the value of the Union, enunciate but the calmest truth. Its dissolution would be like the breaking up of a gallant ship on a prosperous voyage, in order that the crew might find greater safety on its loose, dismembered, and scattered fragments. The real enemies of the Union are those who persist in sectional agitation—those who are banded together to bring the action of a common Federal Government for all the States into an attitude of hostility to the property of a part-they are the practical

disunionists. They forget or disregard all the compromises which impart vitality to the constitution. The dark and rampant spirit of abolitionism and freesoilism, regardless alike of the admonitions of patriotism and the dictates of justice, is threatening, in its mad career, to

destroy the very foundation of the Union.

The Federal Government, in its original organization, conformed itself most wisely to the then condition of the people and the property it was intended to protect. Slavery then existed in most of the States. The constitution did not pretend to make any change whatever in the relation of master and slave. The property in slaves, such as it was, pre-existed, and the constitution recognized it without limitation and extended to the owner its unqualified protection. It created no property, but recognized whatever was property in the States as such, and left it in the condition in which it was found. When it speaks of property, whatever was made so by any of the States, was what was intended. It did not undertake to define what was or was not property.

The Federal Government being one of limited powers, cannot impart to or take from anything its attribute of property. If it cannot establish slavery in a territory, it cannot destroy it. Whatever is property in any one of the States, if carried into a territory cannot lose its character of property by the action of the General Government.

I am deeply and profoundly impressed with the conviction, that the only safety to the Union, is the firm establishment of the doctrine that the Federal Government should abstain unconditionally from all hostile action upon the subject of slavery. It is a government for the slaveholding States as well as the free, and it has no right to throw even its moral influence against the tenure of property recognized as such by any of its constituent parts. It would be a gross prostitution of its powers and a departure from the objects of its organization to do so. As a common government for all the States, it never was intended by its framers, that it should discriminate between the property of one State or one section and another. Equality is the law of its existence. I deprecate as much as any one can, the formation of sectional or geographical parties. The ties of sympathy and interest which bind us together as one people, become weaker and weaker with the growth of unfriendly feelings arising from the existence of such parties, until finally we shall become aliens and strangers to each other. The existence of mere geographical parties is the first great step to disunion. To prevent that I was willing to unite with a party whose principles were sufficiently broad and comprehensive and patriotic to entitle itself to the name of American. great and leading and fundamental article of the political creed of this organization was undying devotion to the Union of the States, and every other principle it held was but subsidiary to this. The perpetuity of this mighty Republic, with all its countless blessings, through generations which are to follow, was its end and aim. The same fell spirit of fanaticism which has produced schisms in other parties, has done its work here also. The crisis of our country's fate, though impending, is not yet come and I trust that the time is far, very far distant when the section to which we belong, shall feel compelled in sorrow and in anguish to calculate the value of the Union. To avert a crisis so dreadful I cannot doubt that the national men of all parties, however discordant may be their opinions on other points, will finally unite, and by their firm, determined and patriotic action save the country from the ruthless grasp of the enemies of the Union.

C. S. MOREHEAD.

JANUARY 1, 1856.

Ordered, That the Public Printer print 8,000 copies of said message for the use of the Senate.

Mr. Hardin presented the petition of Philip B. Thompson, praying the passage of an act, allowing him compensation as agent of the commonwealth, in the case of the commonwealth against Fletcher.

Which was received, the reading dispensed with, and referred to the committee on the Judiciary.

Mr. Kohlhass moved the following resolution, viz:

Resolved, That the ministers of the Gospel, resident at Frankfort, be and they are hereby requested to open the services of the Senate each day with prayer.

Which was adopted.

Mr. Silvertooth moved the following resolution, viz:

Resolved, That John M. Helms be and he is hereby permitted to take a seat in the Senate chamber as reporter for the Kentucky Yeoman.

Which was adopted.

Mr. Kohlhass moved the following resolution, viz:

Resolved, That John M. Todd be allowed a seat upon this floor, for the purpose of reporting the proceedings of the Senate for the Daily Commonwealth.

Which was adopted.

Mr. Walton moved the following resolution, viz:

Resolved, That a committee of three on the part of the Senate be appointed to visit the Lunatic Asylum at Lexington.

And the question being taken on the adoption of said resolution, it was decided in the negative.

Leave was given to bring in the following bills, viz:

On motion of Mr. Irvine—1. A bill to amend the several acts in relation to peddlers.

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On motion of Mr. Conklin—2. A bill to amend the laws in relation to Surveyors of public highways.

On motion of Mr. Bullock—3. A bill to incorporate the Bourbon Female Institute.

On motion of Mr. Smith—4. A bill to regulate the holding of the Mason and Scott Circuit Courts.

On motion of same—5. A bill to charter Oxford Lodge, No. 176, of Ancient York Masons.

On motion of same—6. A bill to establish an asylum for the education of idiots.

On motion of Mr. Blain—7. A bill to incorporate the Hustonsville and McKinney's Station Turnpike Road Company.

On motion of Mr. Ripley—8. A bill to amend the charter of the city of Louisville in relation to the appointment of policemen.

On motion of Mr. Irvine—9. A bill to amend the law in relation to executors, administrators, and curators.

On motion of same—10. A bill to amend the law in relation to guardians.

On motion of Mr. Ripley—11. A bill to regulate agencies of Foreign Insurance Companies.

On motion of Mr. Weis—12. A bill incorporating the First Presbyterian Church of Ashland.

On motion of Mr. Irvine—13. A bill to amend the law in relation to stud and jack licenses.

On motion of Mr. Wadsworth—14. A bill to prevent fraudulent conveyances.

On motion of Mr. Weis-15. A bill to incorporate the Bank of Ashland.

On motion of same—16. A bill incorporating the town of Ashland.

On motion of Mr. Sudduth-17. A bill to amend the militia laws.

On motion of Mr. Stone—18. A bill to authorize the Wayne County Court to have the records and papers in the Surveyor's office of said county transcribed.

The committee on the Judiciary were instructed to prepare and bring in the 2d, 11th, 14th, and 18th; the committee on Military Affairs the 17th; Messrs. Irvine, Smith and Kohlhass were appointed a committee to prepare and bring in the 1st; Messrs. Bullock, Buckner and Sudduih the 3d; Messrs. Smith, Woodson and Weis the 4th; Messrs. Smith, Ripley and Woodson the 5th; Messrs. Smith, Bullock, Wadsworth, Hogan and Silvertooth the 6th; Messrs. Blain, Wadsworth and Cavan the 7th; Messrs. Ripley, Smith and Wadsworth the 8th; Messrs. Irvine, Buckner and Woodson the 9th, 10th and 13th; Messrs. Weis, Cavan

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and Sudduth the 12th; Messrs. Weis, Wadsworth and Bullock the 15th; Messrs. Weis, Wadsworth and Hogan the 16th.

Mr. Smith, from a select committee, reported "A bill to incorporate Oxford Lodge, No. 176, of Ancient York Masons," which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with, it was referred to the committee on the Judiciary.

And then the Senate adjourned.

WEDNESDAY, JANUARY 2, 1856.

The following bills were reported, viz:

By Mr. Irvine—1. A bill to amend the law in relation to executors, administrators and curators.

By same—2. A bill to amend the law in relation to guardians.

By same—3. A bill to amend the law in relation to stud and jack licences.

By Mr. Smith—4. A bill to change the time of holding the February term of the Mason Circuit Court.

By Mr. Weis—5. A bill to incorporate the First Presbyterian Church of Ashland.

Which were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills having been dispensed with: the 1st and second were referred to the committee on the Judiciary; the 3d to the committee on Finance; the 4th was ordered to be engrossed and read a third time; and the 5th was referred to the committee on the Judiciary.

The constitutional provision as to the third reading of the 4th of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Smith moved the following resolution, viz:

Resolved, That so much of the Governor's message as refers to the finances of the commonwealth be referred to the committee on Finance; that so much of said message as refers to the subject of education and

the common school system, be referred to the committee on Education; that so much of said message as refers to charitable institutions be referred to the committee on Finance; that so much of said message as refers to the State Prison be referred to the committee on the Penitentiary; that so much of said message as refers to the militia be referred to the committee on Military Affairs; that so much of said message as refers to the registration law be referred to the committee on Education; that so much of said message as refers to the Geological and Mineralogical survey of the State, be referred to the committee on Agriculture and Manufactures; that so much of said message as refers to agriculture and manufactures be referred to the committee on Agriculture and Manufactures; that so much of said message as refers to Internal Improvements be referred to the committee on Internal Improvements; that so much of said message as refers to Banks be referred to the committee on Banks; that so much of said message as refers to the judiciary be referred to the committee on the Judiciary; and that so much of said message as refers to federal affairs be referred to the committee on Federal Relations.

Which was adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Silvertooth—1. A bill to repeal the 2d article of the Revised Statutes, in relation to slaves.

On motion of Mr. Conklin—2. A bill authorizing three cents additional tax to be levied for common school purposes.

On motion of Mr. Headley—3. A bill to incorporate Providence Mining, Manufacturing and Shipping Company.

On motion of Mr. DeCourcey—4. A bill to incorporate the Merchants' Bank of Kentucky.

On motion of same—5. A bill to incorporate the Clay Fire and Marine Insurance Company.

On motion of same—6. A bill to incorporate Noah's Dove Lodge, No. 20, Independent Order of Odd Fellows.

On motion of Mr. Buckner—7. A bill to establish separate Criminal

On motion of Mr. Wadsworth—8. A bill to establish and lay off the 13th Judicial District.

On motion of Mr. Sudduth—9. A bill creating the office of Chancellor in each Judicial District.

On motion of Mr. Ripley—10. A bill to charter the Tradewater Coal and Iron Mining Company.

On motion of same—11. A bill to incorporate the Washington Insurance Company, of Louisville.

On motion of Mr. Hardin—12. A bill to amend the 883d section of the Code of Practice in relation to costs in the Court of Appeals.

On motion of Mr. Kohlhass-13. A bill to amend the 7th article of

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the Revised Statutes relating to felonies committed by slaves and free negroes.

On motion of Mr. Haggin—14. A bill to renew the charter of the Mechanic's Bank in Louisville.

On motion of same—15. A bill for the benefit of the Louisville and Newburg road.

On motion of Mr. Irvine—16. A biil to incorporate the Speedwell Turnpike Road Company in Madison county.

On motion of Mr. Silvertooth—17. A bill to establish an additional voting place in Hay's district, in Hickman county.

On motion of Mr. Irvine—18. A bill to amend the charter of the Richmond and Irvine Turnpike Road Company.

On motion of Mr. Sudduth—19. A bill to repeal all provisions of the Code of Practice that require the pleadings in cases to be sworn to.

On motion of Mr. Hardin—20. A bill to amend section 900 of the Civil Code of Practice.

On motion of Mr. Weis—21. A bill to amend the charter of the Kentucky Iron, Coal and Manfacturing Company.

On motion of Mr. Smith—22. A bill to amend the charter of the Paris and Georgetown Turnpike Road Company.

On motion of Mr. Haggin—23. A bill to authorize recovery for damage sustained in the wrongful taking of human life.

On motion of Mr. DeCourcey—24. A bill to increase the jurisdiction of the quarterly terms of Magistrates' Courts.

The committee on Education was directed to prepare and bring in the 2d; the committee on Banks the 4th and 14th; the committee on the Judiciary the 5th, 10th, 11th, 12th, 13th, 20th, 23d and 24th; the committee on Circuit Courts the 7th, 8th, 9th and 19th; the committee on Agriculture and Manufacture the 21st; the committee on Internal Improvement the 22d; Messrs. Silvertooth, Hardin and Barlow were appointed a committee to prepare and bring in the 1st; Messrs. Headley, Walton and Matthewson the 3d; Messrs. DeCourcey, Smith and Silvertooth the 6th; Messrs. Haggin, Ripley and Kohlhass the 15th; Messrs. Irvine, Smith and Buckner the 16th; Messrs. Silvertooth, Matthewson and Collins the 17th; and Messrs. Irvine, Harris, and Wadsworth the 18th.

Mr. Irvine from a select committee reported a bill to amend the charter of the Richmond and Irvine Turnpike Road Company, which was read the first time, and ordered to be read a second time.

The constitutional provision as the second and third readings of said bill having been dispensed with, and the same being engrossed,

I'W W. DeCoursey, Willis a H. Wadeword, en i William C. Edilook

deral Astanburg-Alexen. William L. Confiden, & Moward Conti

Resolved, That said bill do pass, and that the title thereof be as aforesaid

And then the Senate adjourned.

THURSDAY, JANUARY 3, 1856.

The Speaker announced the following standing committees:

On the Judiciary—Messrs. William C. Bullock, George W. Silvertooth, James F. Buckner, Charles Ripley, and John P. Martin.

On the Court of Appeals—Messrs. Shelby Stone, John A. Cavan, James D. Hardin, Robert Blain, and William T. Haggin.

On Circuit Courts—Messrs. D. Howard Smith, William L. Conklin, D. K. Weis, George T. Edwards, and William Howell.

On County Courts—Messrs. Sylvester Harris, T. W. W. DeCourcey, Robert Blain, William H. Wadsworth, and William Howell.

On Propositions and Grievances—Messrs. Robert Blain, Wiley S. Hay, William L. Conklin, George T. Edwards, and Charles H. Allen.

On Religion—Messrs. Overton P. Hogan, George Wright, William C. Gillis, Nathaniel W. Collins, and John Williams.

On Internal Improvement—Messrs. Theodore Kohlhass, Wiley S. Hay, Jesse W. Burton, D. K. Weis, and Charles H. Allen.

On Privileges and Elections—Messrs. William Howell, William H. Wadsworth, John S. McFarland, George Wright, and C. J. Walton.

On Finance—Messrs. John S. Barlow, Theodore Kohlhass, Robert Blain, J. Q. A. King, and David Irvine.

On Education—Messrs. William H. Wadsworth, J. Q. A. King, D. K. Weis, William T. Haggin, and Jesse W. Burton.

On the Penitentiary—Messrs. Tucker Woodson, Nathaniel W. Collins, Overton P. Hogan, Robert C. Palmer, and William C. Gillis.

On Military Affairs—Messrs. T. W. W. DeCourcey, Jesse W. Burton, Sylvester Harris, James Sudduth, and C. J. Walton.

On Agriculture and Manufactures—Messrs. John S. McFarland, John S. Barlow, Samuel Howard, John Williams, and Daniel Matthewson.

On the Sinking Fund—Messrs. Robert C. Palmer, Theodore Kohlhass, and George T. Edwards.

On Federal Relations—Messrs. William L. Conklin, D. Howard Smith, T. W. W. DeCourcey, William H. Wadsworth, and William C. Bullock.

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On Executive Affairs—Messrs. John A. Cavan, James D. Hardin, J. Q. A. King, James D. Headley, and Charles Ripley.

On Public Buildings—Messrs. James D. Hardin, Tucker Woodson, Overton P. Hogan, David Irvine, and D. K. Weis.

JOINT COMMITTEES.

On Enrollments-Messrs. David Irvine, Jesse W. Burton, and Charles H. Allen.

On the Library-Messrs. D. K. Weis, George Wright, and James Sudduth.

On Banks-Messrs. J. Q. A. King, and George T. Edwards.

On Public Offices-Messrs. James Sudduth, and William C. Gillis.

Ordered, That the Public Printer print 150 copies thereof for the use of the General Assembly.

The following bills were reported from the committees appointed to prepare and bring in the same, viz:

By Mr. Silvertooth—1. A bill to establish an additional voting place in Hay's district in Hickman county.

By Mr. Irvine—2. A bill to incorporate the Speedwell Turnpike Road Company in Madison county.

By Mr. DeCourcey—3. A bill to incorporate Noah's Dove Lodge, No. 20, Independent Order of Odd Fellows, of Newport.

By Mr. Haggin—4. A bill to confirm the establishment of the Louisville and Newburg road in Jefferson county, and to change the name thereof.

By Mr. Headley-5. A bill to incorporate Providence Mining, Manufacturing and Shipping Company.

By Mr. Weis-6. A bill to incorporate the Bank of Ashland.

Which were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st, 2d, 3d, 4th, and 5th were ordered to be engrossed, and read a third time, and the 6th was referred to the committee on Banks.

The constitutional provision as to the third reading of the 1st, 2d, 3d, 4th, and 5th of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up, and read as follows:

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EXECUTIVE DEPARTMENT, January 3, 1856.

Gentlemen of the Senate:

I nominate for your advice and consent, Mason Brown, for the office of Secretary of State, he having been commissioned as such since the adjournment of the last General Assembly.

C. S. MOREHEAD.

Resolved, That the Senate advise and consent to said appointment.

A message was also received from the Governor, by Mr. Bibb, Assistant Secretary of State, which was read as follows, viz:

Executive Department,
January 3, 1856.

Gentlemen of the Senate and House of Representatives:

In accordance with the requisition of the law, I herewith transmit to you a copy of the official bond of the Treasurer. It appearing from the official certificate of the Auditor, that the sureties are worth over \$300,000, the bond has been approved by me and filed in the office of the Secretary of State, accompanied with the certificate of the oath of office.

Respectfully,

C. S. MOREHEAD.

Mr. Barlow read and laid on the table the following joint resolutions. viz:

1. Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the abrogation of the line known as the Missouri compromise line, and the repeal of the restriction as to slavery in the Territories by the compromise measures of 1850, and by the Kansas-Nebras-ka act, was right, necessary and proper.

2. Resolved, That the Constitution grants no power to Congress to inhibit or establish slavery in the Territories belonging to the United

States.

3. Resolved, That it would be a palpable violation of the Constitution for Congress to refuse to admit into the Union any new State formed out of the Territories—the common property of all the States—merely because such new State might tolerate slavery.

4. Resolved, That the principle of non-intervention by Congress on the slavery question, as contained in the Kansas-Nebraska act, is the true policy of the General Government; and that any departure from it would, in our opinion, greatly endanger the existence of the Union.

5. Resolved, That regarding the Kansas-Nebraska act as a great national and constitutional measure, the thanks of the people of the south are especially due those members of Congress from the north who assisted in its passage, and to the President of the United States who approved it.

6. Resolved, That the repeal or modification of the fugitive slave law would, also, greatly endanger the safety of the Union; and that the thanks of the people are due to the President of the United States for

his firmness and efficiency in its execution.

47. Resolved, That our Senators in Congress be instructed, and our Representatives be requested, to vote in accordance with the princi-

ples of these resolutions; and not to vote for any man for office who is not willing to stand by and carry out the same.

Ordered, That the Public Printer print 150 copies of said resolutions for the use of the General Assembly.

Leave was given to bring in the following bills, viz:

On motion of Mr. Irvine-1. A bill allowing a change of venue in certain cases.

On motion of same—2. A bill providing for special Judges.

On motion of same-3. A bill to facilitate the trial of equity cases. On motion of Mr. Buckner-4. A bill to incorporate The Kentucky

and Tennessee Mining and Manufacturing Company.

On motion of Mr. Blain-5. A bill to amend the charter of the Lexington and Danville Railroad Company.

On motion of Mr. Bullock-6. A bill for the benefit of Shelby College. 12 and the Stockers Danc shift the

On motion of Mr. Kohlhass-7. A bill to amend an act concerning the town of Winchester.

On motion of Mr. Sudduth-8. A bill to amend an act establishing a Sinking Fund for Bourbon county, and to provide for the appointment of commissioners thereof.

On motion of Mr. Silvertooth-9. A bill for the benefit of R. C. Wintersmith, Treasurer.

On motion of Mr. Sudduth-10. A bill conferring additional jurisdiction on the Police Judge of Owingsville.

On motion of Mr. Hay-11. A bill for the benefit of Isaac A. Clifford.

On motion of Mr. Haggin-12. A bill to prevent fraudulent assignments in trust for creditors, and other fraudulent conveyances.

The committee on the Judiciary were instructed to prepare and bring in the 1st, 2d, 3d, 4th, 6th, 7th, 8th, and 12th; the committee on Internal Improvement the 5th; the committee on County Courts the 10th; the committee on Finance the 11th; and Messrs. Silvertooth, McFarland and Martin were appointed a committee to prepare and bring in the 9th.

And then the Senate adjourned.

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FRIDAY, JANUARY 4, 1856.

Mr. Collins presented the petition of sundry citizens of the counties of Floyd and Letcher, praying that a portion of the county of Floyd may be attached to the county of Letcher.

Mr. Hay presented the petition of the Grand Jurors of the county of Muhlenburg, at their last April term of the court, praying a repeal of the law taking from the jurisdiction of grand juries all cases where the fine is ten dollars and under.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Propositions and Grievances; and the 2d to the committee on the Judiciary.

On motion of Mr. Smith-

Ordered, That Mr. Wadsworth be added to the committee on Circuit Courts.

Leave was given to bring in the following bills, viz:

On motion of Mr. Sudduth—1. A bill to create the office of Police Judge of Wyoming in Bath county.

On motion of same—2. A bill to amend the law providing for the compensation of the presiding justices of County Courts.

On motion of Mr. Hay—3. A bill for the benefit of William J. Berry and Seth B. Moseley.

On motion of Mr. McFarland—4. A bill for the benefit of Thos. Landrum, late Sheriff of Daviess county.

On motion of Mr. Irvine—5. A bill to amend the law regulating the sale of spirituous liquors.

On motion of same—6. A bill to amend the act incorporating the Kentucky River Navigation Company.

On motion of same—7. A bill for the protection of the owners of slaves.

On motion of Mr. Collins—8. A bill for the benefit of David W. Calhoun and William Walker, of Perry county.

On motion of Mr. Barlow—9. A bill to incorporate a company to construct a plank-road from Wilson Ritter's to the Mammoth Cave.

The committee on County Courts was directed to prepare and bring in the 1st and 2d; the committee on Finance the 8th; Messrs. Hay, Kohlhass and Bullock were appointed a committee to prepare and bring in the 3d; Messrs. McFarland, Kohlhass and Conklin the 4th; Messrs.

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Irvine, Smith and Woodson the 5th, 6th and 7th; and Messrs. Barlow, Walton and Wright the 9th.

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ties of the General Assembly.

And then the Senate adjourned.

SATURDAY, JANUARY 5, 1856.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate of the following titles, viz:

An act to change the time of holding the February term of the Mason Circuit Court.

An act to incorporate Noah's Dove Lodge, No. 20, Independent Order of Odd Fellows, of Newport.

That they had passed bills of the following titles, viz:

- 1. An act to incorporate the Union Agricultural and Improvement Association of Mason and Bracken counties.
 - 2. An act for the benefit of Charles Linn, sen., of Calloway county.
- 3. An act to change the place of voting in Bethesda precinct in Trigg county.
 - 4. An act for the benefit of Elizabeth Rucker.
- 5. An act to amend an act incorporating the town of Mayfield, Graves county.
- 6. An act to repeal an act, approved February, 18th, 1854, changing the boundary of Hazel Green district, in Morgan county.
- 7. An act to incorporate the German Mutual Insurance Association in Louisville.

Which were read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st was referred to the committee on Agriculture and Manufactures; the 2d, 5th and 7th to the committee on the Judiciary; the 3d and 6th to the committee on Privileges and Elections; and the 4th was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Speaker laid before the Senate the annual report of the Kentucky Institution for the education of the deaf and dumb, for the years 1854 and 1855.

[For Report—see Legislative Documents.]

Ordered, That the Public Printer print 1500 copies thereof for the use of the General Assembly.

The Speaker also laid before the Senate the report of the Auditor of Public Accounts.

Auditor's Office, Ky., Franfort, January 5, 1856.

HON. JAMES G. HARDY,

Lt. Governor, and Speaker of the Senate: Sir: I send reports from this Department, viz:

No. 1—Auditor's Report, 1854. No. 2—Auditor's Report, 1855. No. 3—Registration Report, 1854. No. 4—Registration Report, 1855.

I am, very respectfully, THO. S. PAGE, Auditor.

[For Reports—see Legislative Documents.]

Also the report of the Treasurer.

TREASURY DEPARTMENT, FRANKFORT, January 5, 1856.

To THE HON. JAMES G. HARDY,

Lt. Governor, and Speaker of the Senate:

Sir: I am the honor to communicate to you the biennial report of this Department.

Very respectfully, R. C. WINTERSMITH, Treasurer.

[For Report—see Legislative Documents.]

The following bills were reported from the several committees appointed to prepare and bring in the same:

By Mr. Bullock, from the committee on the Judiciary—1. A bill to

facilitate trial of equity causes.

By same—2. A bill to amend section 900 of the Code of Practice in civil cases.

By same—3. A bill to prevent fraudulent assignments in trust for creditors, and other fraudulent conveyances.

By Mr. Harris, from the committee on County Courts—4. A bill giving additional jurisdiction to the Police Judge of the town of Owingsville.

By Mr. McFarland, from the committee on Agriculture and Manufactures—5. A bill to incorporate the Hopkins Mastodon Coal and Iron Mining and Manufacturing Company.

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By Mr. McFarland, from a select committee—6. A bill for the benefit of Thomas Landrum, late Sheriff of Daviess county.

By Mr. Irvine—7. A bill for the protection of the owners of slaves. By Mr. Bullock, from the committee on the Judiciary—8. A bill for the benefit of William J. Berry and Seth R. Mosely.

Which were severally read the first time and ordered to be read a second time.

The constitutional provision, as to the second reading of said bills being dispensed with, the 1st, 2d, 4th, 5th, 6th, and 8th were ordered to be engrossed and read a third time; the 3d was ordered to be printed and made the special order of the day for Wednesday, the 9th inst., and the 7th was referred to the committee on the Judiciary.

The Senate took up for consideration the resolutions offered by Mr. Barlow, on the 3d inst., "in relation to the repeal of the Missouri Compromise line."

Mr. Stone moved to refer said resolutions to the committee on Federal Relations.

Mr. Barlow moved to amend said motion, "by requiring the committee to report the same to the Senate on Friday next."

And the question being taken on the adoption of the amendment proposed, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Barlow and Hogan, were as follows, viz:

Those who voted in the affirmative, were-

John S. Barlow, Overton P. Hogan, George W. Silvertooth, T. W. W. DeCourcey, John P. Martin, C. J. Walton, James D. Hardin, Daniel Matthewson, James D. Headley.

Those who voted in the negative, were-

William T. Haggin, D. Howard Smith, Robert Blain, James F. Buckner, Sylvester Harris, Shelby Stone, William C. Bullock, Wiley S. Hay, James Sudduth, Jesse W. Burton, Samuel Howard, W. H. Wadsworth, Nathaniel W. Collins, David Irvine, William L. Conklin, Theodore Lower Bulley, John S. McFarland, Pinley, John Williams. Tucker Woodson, George Wright-23. George T. Edwards, John S. McFarla William C. Gillis, Charles Ripley,

Ordered, That said resolutions be referred to the committee on Federal Relations.

Mr. DeCourcey moved the following resolution, viz:

Resolved, That a committee of twelve, one from each judicial district, be appointed to take into consideration the formation of the 13th judicial district, and report thereupon.

Which was adopted.

Mr. Bullock moved the following resolution, viz:

Resolved, That committees consisting of three members each, be appointed on the Revised Statutes, and the Codes of Practice.

Which was adopted.

Mr. Walton offered the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor be and he is hereby requested to order a salute on the 8th inst. of thirty-one guns, in commemoration of the brilliant achievements of the American army, on the 8th of January, 1815, under Major General Andrew Jackson, against the British army under General Packenham, and that a like number be fired on the 22d day of February next.

The rule of the Senate being dispensed with, said resolution was

taken up, twice read and adopted.

On motion of Mr. Weis-

Ordered, That Mr. Sudduth be added to the committee on Banks.

Mr. Hogan moved the following resolution, viz:

Resolved, That no bill from the House of Representatives shall be acted on, until such bill has been referred to, and reported from an appropriate committee.

Which was rejected.

Mr. Walton moved the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a joint committee of two on the part of the Senate, and three on the part of the House of Representatives, be appointed to visit the Lunatic Asylum at Lexington, the Deaf and Dumb Asylum at Danville, the Institution of the Blind at Louisville, and the second Lunatic Asylum.

Ordered, That said resolution be placed in the orders of the day.

Leave was given to bring in the following bills, viz:

On motion of Mr. Smith—1. A bill to amend the 3d section of the 42d chapter of the Revised Statutes, in relation to the sale of adulterated liquors.

On motion of Mr. Buckner—2. A bill for the benefit of James S.

Garnett, of Christian county.

On motion of Mr. Burton—3. A bill to amend an act incorporating the Perryville and Mitchelsburg Turnpike Road Company.

On motion of same-4. A bill for the benefit of the Deaf and Dumb

Asylum at Danville.

On motion of Mr. Howard—5. A bill for the benefit of Samuel W. Howard.

On motion of Mr. Martin—6. A bill authorizing the sale of certain alleys in the town of Prestonsburg, and appropriating the proceeds for purposes of education.

On motion of Mr. Gillis-7. A bill to revise the general road laws.

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On motion of same—8. A bill further to regulate the fees of certain officers.

On motion of same—9. A bill for the benefit of William B. White, late Sheriff of Whitley county.

On motion of Mr. Wadsworth—10. A bill for the benefit of school district No. 13, in the county of Lewis.

The committee on the Judiciary were instructed to prepare and bring in the 2d, 7th, 8th; the committee on Internal Improvement the 3d; the committee on Finance the 4th, 5th and 10th; Messrs. Smith, Wadsworth and Irvine were appointed a committee to prepare and bring in the 1st; Messrs. Martin, DeCourcey and Silvertooth the 6th; and Messrs. Gillis, Sudduth and Haggin the 9th.

Resolution to fire a national saluta agention (the language and the of

And then the Senate adjourned.

MONDAY, JANUARY 7, 1856.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate entitled, an act to confirm the establishment of the Louisville and Newburg Road in Jefferson county, and to change the name thereof, with an amendment.

That they had passed bills and adopted a resolution of the following titles, viz:

- 1. An act for the benefit of Moseby Stratton, of Ballard county.
- 2. An act to legalize the proceedings of the February term, 1852, of the Casey County Court.
 - 3. An act to incorporate the North Kentucky Agricultural Society.
- 4. An act for the benefit of E. J. Starr and his adopted daughter Laura.
- 5. An act for the benefit of W. B. A. Baker, late Sheriff of Mason county.
 - 6. An act to incorporate Allen Lodge Masonic Female College.
- 7. An act to amend the law on the subject of change of venue in civil cases.
 - 8. An act prohibiting Magistrates from taxing attorney's fees.
- 9. An act to amend the 8th section of the 13th chapter of the Revised Statutes.

10. An act to change the route of the Wilderness Turnpike Road.

11. An act to legalize the subscription of the Woodford County Court to the Versailles and Munday's Landing Turnpike Road.

12. An act for the benefit of Joshua Oaks.

13. An act to charter the Muldraugh's Hill and Green River Turn-pike Road Company.

14. An act to amend an act, entitled, an act to amend and reduce into

one the several acts relating to the town of Princeton.

15. An act for the benefit of James Taylor, of Hardinsburg.

16. An act for the benefit of Hiram Keath, of Pulaski county.

17. An act to amend an act, entitled, an act to improve the road from Hall's Gap to Somerset.

18. An act to legitimatize the illegitimate children of Samuel B.

Haddix.

19. An act to repeal the act incorporating the town of Jackson.

Resolution to fire a national salute on the 8th January and 22d of February.

Which bills were read the first time, and ordered to be read a second

time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st, 4th, 6th, 7th, 12th, 14th, 15th, 16th, 18th, and 19th were referred to the committee on the Judiciary; the 2d and 8th to the committee on County Courts; the 3d to the committee on Agriculture and Manufactures; the 5th to the committee on Finance; the 9th to the committee on Revised Statutes; the 10th, 13th and 17th to the committee on Internal Improvement; and the 11th was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as afore-

said.

The Speaker laid before the Senate the report of the Secretary of State, which is as follows, viz:

COMMONWEALTH OF KENTUCKY,
OFFICE OF THE SECRETARY OF STATE,
January 2, 1856.

To the Hon. James G. Hardy,

Speaker of the Senate of Kentucky:

Sir: In obedience to the provisions of an act approved 7th March, 1854, entitled, an act for the benefit of the common school system, and of an act approved March 10th, 1854, entitled, an act to amend the act authorizing an additional tax for common school purposes, I beg leave to report:

That it appears by the returns on file in this office that on the question submitted to the qualified voters of this commonwealth, on the

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first Monday in August last, viz: Are you for or against levying an additional tax of three cents on each one hundred dollars worth of property to increase the common school fund? the several counties in the State voted as follows, viz:

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All which is respectfully submitted.

I have the honor to be,

Your obedient servant, MASON BROWN, Secretary of State.

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Also the report of the Keeper of the Penitentiary.

[For Report—see Legislative Documents.]

Ordered, That the Public Printer print 150 copies of each of said reports.

Mr. Smith, from the committee on Circuit Courts, to whom was referred leave to bring in a bill to repeal so much of the Code of the Practice as requires pleadings in ordinary to be sworn to, asked to be discharged from the further consideration of said leave.

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Which was granted.

Ordered, That said leave be referred to the committee on the Codes of Practice.

The Senate took up for consideration the resolution of the House of Representatives, to fire a national salute on the 8th of January, and 22d February.

Which was twice read and concurred in.

The following bills were reported from the committees appointed to prepare and bring in the same, viz:

By Mr. Gillis-A bill for the benefit of William B. White.

By Mr. Silvertooth-A bill for the benefit of R. C. Wintersmith.

Which were read the first time and ordered to be read a second time. The constitutional provision as to the second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass and that the titles thereof be as aforesaid.

Mr. Silvertooth presented the petition of the trustees of school district. No. 6, in Fulton county, praying the passage of an act authorizing them to draw certain moneys due them.

Mr. Wright presented the petition of J. D. Mannin, praying the passage of an act allowing him additional compensation for distributing the public books and documents, in the first district, in the year 1854.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Education; and the 2d to the committee on Finance.

Mr. Smith moved the following resolution, viz:

Resolved, That the committee on Banks be instructed to report a bill prohibiting the issue and circulation of bank notes, of a less denomination than five dollars, in accordance with the recommendation of the Governor's message.

Which was adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Kohlhass-1. A bill concerning the public highways in this commonwealth.

On motion of Mr. Blain—2. A bill to legalize the proceedings of the October term of the Garrard County Court, 1855.

On motion of same—3. A bill to amend the charter of the Danville, Dix River, and Lancaster Turnpike Road Company.

On motion of Mr. Williams—4. A bill to amend the charter of the Foster Turnpike Road Company.

On motion of Mr. Hardin—5. A bill to repeal the 758th section of the Civil Code of Practice abolishing the writ of ne exeat.

On motion of Mr. Wright-6. A bill for the benefit of constables.

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On motion of same-7. A bill to incorporate the Peoples Bank of Kentucky, at Bowlinggreen.

On motion of Mr. DeCourcey—8. A bill to incorporate the Stony Hill Turnpike Road Company of Campbell county.

On motion of Mr. Buckner—9. A bill to extend the time for perfecting headright claims to land.

On motion of Mr. Edwards—10. A bill for the benefit of John Mc-Lean and Jesse Rankin.

On motion of same—11. A bill incorporating Logan Lodge, No. 73, of the Independent Order of Odd Fellows, of Russellville.

On motion of same—12. A bill authorizing the County Court of Logan to rent or sell the old clerk's offices, upon the completion of the

On motion of Mr. Ripley-13. A bill to amend the law in relation to negotiable notes.

The committee on Internal Improvement were directed to prepare and bring in the 1st, 3d, 4th and 8th; the committee on County Courts the 2d and 12th; the committee on the Codes of Practice the 5th; the committee on the Judiciary the 6th, 9th and 13th; the committee on Banks the 7th; the committee on Propositions and Grievances the 10th; and Messrs. Edwards, Conklin and Buckner were appointed a committee to prepare and bring in the 11th.

Mr. DeCourcey moved the following resolution, viz:

Resolved, That when the Senate adjourns to-day it will adjourn to meet again on Wednesday next, at 10 o'clock, A. M.

Which was adopted.

And then the Senate adjourned.

WEDNESDAY, JANUARY 9, 1856.

Mr. William Howell, from the 19th Senatorial District, appeared and took his seat.

Mr. John Q. A. King, from the 11th Senatorial District, produced a certificate of his election, and took the several oaths required by the Constitution of the United States, and the Constitution and laws of this State.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate entitled,

An act to incorporate the Hopkins Mastodon Coal and Iron Mining and Manufacturing Company.

1. Mr. Smith presented the petition of William L. Sutton, praying the passage of an act allowing him and his assistants compensation for making out the annual reports of births, marriages and deaths for the years 1854 and 1855.

2. Also the petition of the Board of Internal Improvement for Scott county, praying the passage of an act protecting them from unjust and vexatious law-suits.

3. Mr. McFarland presented the petition of a portion of the citizens of Ohio county, praying that a portion of said county may be attached to the county of Daviess.

4. Mr. Matthewson presented the petition of sundry citizens of the county of Calloway, praying a change in the boundary of New Concord School District.

5. Mr. King presented the petition of Emily Given, praying the passage of an act changing the name of her daughter, Mary Campbell Hodge, to that of Mary Campbell Given.

6. Mr. Wadsworth presented the petition of William S. Rand, praying the passage of an act allowing him compensation for services rendered, and moneys expended, while acting as commissioner for the State of Kentucky at the exhibition of the industry of all nations in the city of New York.

Which were received, the reading dispensed with, and referred—the 1st and 6th to the committee on Finance; the 2d to the committee on the Judiciary; the 3d to the committee on Propositions and Grievances; the 4th to the committee on Education; and the 5th to the committee on County Courts.

Mr. Burton presented the memorial of the Board of Trustees of the Institution for the education of the Deaf and Dumb, which is as follows, viz:

To the General Assembly of the Commonwealth of Kentucky:

The trustees of the Kentucky Institution for the education of the deaf and dumb, would respectfully present, as supplemental to their biennial report, already laid before your honorable body, this memorial and petition.

They beg leave to state, that this Institution is now in the thirty-third year of its existence, having been chartered in the year 1822, being one of the oldest benevolent and literary institutions in the State. It has been the study of its Directors and officers to make it as small a burden to the commonwealth as possible—its affairs have been managed with peculiar economy; and no public benevolent institution in this or any other State, of any description, has been sustained at so

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small comparative cost. In this respect, it may be doubted, if we have not erred. We have permitted other institutions in our own and neighboring States, of identical or similar character, to surpass us in the provisions made for the accommodation and comfort of their inmates, by, perhaps, a too rigid—some would say—penurious economy.

At one time, we permitted our buildings, from a desire to avoid expenditure, to run down to a condition barely compatible with comfort, and destitute of all pretension to external appearance. The intellectual and moral advancement of our pupils was not, however, ever neglected.

For several years past, we have been endeavoring, gradually, to enlarge our accommodations—paying some attention also to external appearance. While the latter is of no real benefit, yet public opinion cannot be entirely disregarded, which is prone, too much, to estimate the intrinsic value of an institution by its external show.

Yet we have not been able, in our improvements, to keep pace with the increase of pupils. They have been gradually increasing for many years past, and, in the last ten years, have nearly or quite doubled. We had last session over eighty, and will have as many the present. Our buildings had become altogether inadequate in every department, and distressingly so in some of the most important. The sleeping apartments of the female pupils are crowded, and admit of no increase of number. We are destitute of hospitals for the sick both in the male and female departments—of a sewing room in the latter, and of mechanical shops in the former.

Our kitchen and meat house were built when our number of pupils was only one-third of what it is now, and have become, of course, altogether too small. We have five classes and instructors, and only three school-rooms. For four of our instructors, we have no comfortable and suitable apartments at all. One and his family are crowded into a single room—two others occupy an attic, small, low, and smoky—a fourth a library room, and the fifth, a young lady, has none at all.

We laid these matters before the last General Assembly, who responded to our petition, and granted us seven thousand five hundred dollars, specially for building purposes, and increased our annual allowance, to enable us better to sustain our instructors, provided a library and philosophical apparatus for the better instruction of our pupils, and shops for the instruction of the males in the mechanical arts. It was our opinion and hope at that time, that with the sum above mentioned, we could make such additions to our old buildings as would answer our purposes; we desired to make the cost the smallest possible to the State.

After mature consideration, however, and examination of all the interests, present and future, involved, we became thoroughly satisfied that it would be a waste of public money to make any further additions to our old buildings—that they did not possess sufficient strength and durability to justify such expenditure—that, in no long time, our still increasing numbers and public opinion would demand a new edifice, affording ample accommodations for the five hundred yet uneducated mutes in the State, and having some pretension to architectural appearance.

We felt encouraged by the kindness and liberality with which former Legislatures had uniformly cherished the Institution, to believe that the present General Assembly would continue the regard which the people of the State had extended to it for the third of a century.

Under these views and impulses, we felt that it would be our duty toour pupils, and to the yet uneducated mutes of the State-to be found from one to twenty-five in every county-to the best interests of the Institution, and ultimate economy to the State, not to attempt to make a temporary addition to our old buildings; but to erect a good and substantial edifice, large enough at once for our present and prospective wants, and honorable to the character of the State—which our generous people would look upon with pleasure and pride.

We determined, however, not to disregard our ancient habits of prudence and economy, and not to involve ourselves in reckless expendi ture and indebtedness. We examined carefully all our resources, and found that we could command twenty-five thousand dollars, by the fall of 1856, which we could devote to the erection of such an edifice, with-

out endangering the permanent interests of the Institution.

We thought, at first that with this sum we could erect such a building as we wanted. We drew our plan and submitted it to a skillful. competent, and upright architect, for an estimate of cost. To our extreme disappointment, we ascertained that the cost of such a building as we needed—one that would be permanent and not temporary would exceed our means by ten thousand dollars. The prices of all agricultural products, as is well known, have almost doubled, and mechanical labor has also, of course, and necessarily, been stimulated to increased charges. We could not change our plan without marring its proportions, destroying its beauty, and rendering it inadequate to its

purpose. The object was to build a house of sufficient dimensions, in the female and domestic apartments, to meet the increase of pupils for, at least, the next generation, and which would admit, and by its durable architecture be worthy of future enlargement, when needed. Less than this would be bad economy, and would involve future increased expense and loss to the State. We had not designed, nor intended to apply to the public treasury for any thing additional; but after long deliberation, and great hesitation, remembering that towards our existing buildings the State had contributed only four thousand, five hundred dollars-seeing the increased and increasing interest felt by our people in the cause of general education, for which, by a popular vote, they had liberally increased their taxation, we determined to cast our cause-in which we are only your agents and servants-upon the enlightened liberality of the present Legislature.

We made, therefore, a contract with a highly competent and upright contractor, Mr. John McMurtry, of Lexington, to erect us an edifice. complete in all its parts, between 106 and 7 feet in length and 63 and 4 feet in width, four stories high above the basement, which is one-half above ground—to be warmed by steam upon the most approved plan furnished with permanent water by an Artesian well, and with bathrooms, and all the conveniences which such an establishment needs, for the sum of thirty-five thousand dollars, to be paid in four payments. two of which are made, but to a less amount than the cost of the work already performed. For the full performance of the contract, we have

the most ample guarantee.

The work has been thus far executed to our full satisfaction, and if we are able to meet our part of the contract, will, we doubt not, be faithfully finished. The building is now under a metallic roof, in a secure condition, and presents a beautiful specimen of architecture, highly creditable to the skill and taste of the architects and builders, convenient in all its arrangements, and has been seen, with pleasure and approbation, by all of our citizens who have visited its location.

Our contract releases Mr. McMurtry from the execution of the building beyond the sum of twenty-five thousand dollars, which is the utmost extent of the means we can command, should the Legislature not furnish, or should we not be able to obtain, the additional sum needed. We believe we have made a favorable contract, and could not find in the State, a man who would take up and finish the building for the same money, and to our satisfaction. In Mr. McMurtry we have entire confidence, both as to skill and integrity, and would be exceedingly loth to forfeit our engagement with him, especially as we would lose those parts of our contract of the most delicate execution. Our building has, we think, a foundation as substantial as the earth it stands upon, and will endure for ages, a monument to benevolence.

It is proper to say, that in order to increase our means for building, a voluntary arrangement has been made, during the past year, by the Principal and Superintendent, by which a large sum has been saved in the boarding of the pupils. This fact is mentioned to show the eminent spirit of economy which controls the management of the pecu-

niary affairs of the Institution.

We respectfully and confidently ask of the General Assembly an appropriation of ten thousand dollars to finish our building, and we pledge ourselves to complete it with this amount. The amount necessary is known and limited, and we cannot, without some unforeseen and altogether unexpected event, beyond our control, be disappointed. We have, however, named the least sum sufficient, and we cannot promise to complete the building with less.

Should this prayer be refused, we shall be forced to limit the reception of pupils to our present number—although there remain five hundred unfortunate mutes as above stated, imprisoned in their darkness and ignorance, within the bounds and found in every county, and al-

most in every neighborhood, of our beloved commonwealth.

But we will not anticipate a refusal of our reasonable prayer from the representatives and servants of the generous and noble people of Kentucky, who have decreed, and taxed themselves to carry out the decree, that every child in the State shall be educated. If our cause were left to the people, we should expect to obtain a unanimous suffrage, as we hope to do from the present, and as we did obtain, from both branches of the last General Assembly.

It may be proper to add, though out of its proper connection, that while we have endeavored to erect our building in conformity with good taste, yet we have incurred no expense for mere show. The proportions and form which are the elements of beauty, are as cheaply arranged as the opposite elements of deformity, and often more so. The internal finish is to be perfectly plain and unadorned. The ar-

rangements for warming the house-though costing more than ordinary fire places or grates, will result in an annual saving of fuel, and afford

much greater comfort.

We are not insensible to the responsibility we have assumed of incurring a public debt; but we think a candid consideration of our position and circumstances will fully justify us in the eyes of the Legislature. We had seven thousand five hundred dollars appropriated at the last session, to make enlargements to our present buildings. This was what we desired to do, so as to incur the smallest possible expenditure. We became satisfied that the condition of the building occupied by the female and domestic department, would not justify the expenditure of that sum on it—that it would be improper to do so.

The next consideration was, shall we build a permanent or temporary building? Every one would say, by all means, a permanent one. We assert, without the fear of successful contradiction, that such a building could not be erected for a less sum than we have contracted for at the present increased rates of agricultural and mechanical labor.

We were pressed for room-we could not wait two or three years longer-the five hundred uneducated mutes of the States, were knocking for admission at our doors, and we may conclude, by adding what ought to be known-that our present buildings are so imperfect for a complete and safe separation of the sexes, that we feel unwilling to enlarge our responsibilities in this respect, without increased means of accommodation and safety. The pressure of the responsibility is too great to be borne. By order of the Board of Trustees.

CHARLES HENDERSON, inemerorami ismemi no serie J. T. BOYLE,

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0. rJANUARY 6, 1856. Superintending Committee.

Ordered, That said memorial be referred to the committee on Finance, and that the Public Printer print 150 copies for the use of the gen Lodge, No. 73. 1. O. O. F. General Assembly.

The speaker, in pursuance of a resolution heretofore adopted, an-

nounced the following committees, viz:

On Judicial Districts-Messrs. T. W. W. DeCourcey, John Q. A. King, James F. Buckner, William L. Conklin, Goorge T. Edwards, Shelby Stone, Charles Ripley, James D. Hardin, Overton P. Hogan, D. K. Weis, D. Howard Smith, and William C. Gillis.

On Revised Statutes-John A. Cavan, James Sudduth, and William Howell. of to walkers fruit out of as maistress langing teros of

On the Codes of Practice-Messrs. William T. Haggin, William H. Wadsworth, and George W. Silvertooth.

On motion of Mr. DeCourcey—

Ordered, That he be excused from serving on the committee on Judicial Districts, and that Mr. Wadsworth be substituted in his place.

The following bills were reported from the committees to whom they were referred:

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By Mr. Ripley, from the committee on the Judiciary—1. A bill to amend the law in relation to executors, administrators, and curators.

By same-2. A bill to amend the law in relation to guardians.

By Mr. Irvine, from the committee on Finance—3. A bill to amend the law in relation to stud and jack licenses.

With an amendment to the last named bill.

Which was adopted.

Ordered, That the 1st and 2d of said bills be engrossed and read a third time, and that the 3d be referred to the committee on the Judiciary.

The constitutional provision as to the third reading of the 1st and 2d bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass and that the titles thereof be as aforesaid.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Haggin, from the committee on the Judiciary-1. A bill for

the benefit of Jane Carey.

By same-2. A bill to incorporate the Washington Insurance Com-

pany of Louisville.

By Mr. Harris, from the committee on County Courts—3. A bill to legalize the subscription of the Garrard County Court to the Danville, Dix River and Lancaster Turnpike Road.

By Mr. Kohlhass, from the committee on Internal Improvement—4. A bill to amend the 6th section of an act incorporating the Danville,

Dix River, and Lancaster Turnpike Road Company.

By Mr. Smith, from a select committe—5. A bill to incorporate Logan Lodge, No. 73. I. O. O. F.

By Mr. Haggin, from a select committee-6. A bill for the benefit of

the Shelbyville and Louisville Turnpike Road Company.

Which were read the first time and ordered to be read a second time. The constitutional provision, as to the second reading of said bills being dispensed with—the 1st and 2d were placed in the orders of the day; the 3d, 4th and 6th were ordered to be engrossed and read a third time; and the 5th was referred to the committee on the Judiciary.

The constitutional provision as to the third reading of the 3d, 4th and 6th of said bills being dispensed with, and the same being engrossed.

Resolved, That said bills do pass, and that the titles thereof be as

aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they were referred, without amendment: By Mr. Kohlhass, from the committee on Internal Improvement— An act to amend an act, entitled, an act to improve the road from Hall's Gap to Somerset.

By same-

An act to change the route of the Wilderness Turnpike Road.

By Mr. Harris, from the committee on County Courts-

An act to legalize the proceedings of the February term, 1852, of the Casey County Court.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as afore-

said.

Mr. Sudduth, from the committee on Revised Statutes, to whom was referred a bill from the House of Representatives, entitled, an act to amend the 8th section of 13th chapter of the Revised Statutes, reported the same without amendment.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So the said bill was disagreed to.

Mr. Wadsworth, from the committee on Education, asked to be discharged from the further consideration of a leave to them referred, to bring in a bill authorizing three cents additional tax to be levied for common school purposes.

Which was granted.

Mr. McFarland moved the following resolution, viz:

Resolved, That the committee on County Courts enquire into the expediency of increasing and further regulating the fees of County Court Judges, and report by bill or otherwise.

Which was adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Ripley—1. A bill for the benefit of Abraham Hite and Salena C. Hite, his wife.

On motion of Mr. King-2. A bill to incorporate the Mechanics' Fire Company, No. 1, of Paducah.

On motion of same—3. A bill to amend the 68th chapter of the Revised Statutes, giving power to County Courts to change names.

On motion of same—4. A bill to authorize the County Court of McCracken to increase the county levy for certain purposes.

On motion of same—5. A bill to amend an act, entitled, an act to authorize the town of Paducah to subscribe stock in certain railroads, approved January 7th, 1852, and an act, entitled, an act to authorize

the county of McCracken to subscribe stock in certain railroads, approved January 7th, 1852.

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By same—6. A bill to change the Gray's Ferry Road of McCracken county.

On motion of Mr. Allen—7. A bill for the benefit of John B. Floyd, of Trimble county.

On motion of Mr. Blain—8. A bill for the benefit of Conrod Carpenter, of Casey county.

On motion of Mr. Haggin—9. A bill for the benefit of the Shelby-ville and Louisville Turnpike Road Company.

On motion of Mr. Sudduth—10. A bill to increase the jurisdiction of the Presiding Judge of the Bourbon County Court.

On motion of same—11. A bill to increase the terms of the Court of Appeals.

On motion of same—12. A bill to increase the pay of the Judges of the Court of Appeals.

On motion of Mr. Silvertooth—13. A bill to amend an act, entitled. an act to incorporate the Hickman and State Line Plank Road Company.

On motion of Mr. Hardin—14. A bill to repeal that portion of the 906th section of the Code of Practice, requiring certain duties of the reporter.

On motion of Mr. McFarland—15. A bill to incorporate the Daviess county Agricultural and Mechanical Association.

On motion of Mr. King—16. A bill to incorporate the Fire Company Relief, No. 2, of Paducah.

The committee on the Judiciary were instructed to prepare and bring in the 1st, 2d and 16th; the committee on County Courts the 3d, 4th, 5th, 6th and 10th; the committee on Finance the 7th; the committee on Propositions and Grievances the 8th; the committee on the Court of Appeals the 11th and 12th; the committee on the Codes of Practice the 14th; the committee on Agriculture and Manufacture the 15th; Messrs. Haggin, Ripley and Gillis were appointed a committee to prepare and bring in the 9th; and Messrs. Silvertooth, Allen and King the 13th.

The Senate took up for consideration the amendment proposed by the House of Representative to a bill from the Senate, entitled, an act to confirm the establishment of the Louisville and Newburg Road, in Jefferson county, and to change the name thereof.

Which was twice read and concurred in.

Also, a bill to prevent fraudulent assignments in trust for creditors, and other fraudulent conveyances.

Ordered, That said bill be made the special order of the day for tomorrow, at 11 o'clock, A. M. Also, the resolution offered by Mr. Walton, on the 5th inst., in relation to visiting committees.

Said resolution was amended.

On motion of Mr. Walton, leave was given him to withdraw said resolution.

Said resolution was then withdrawn.

Mr. Irvine, from the committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to change the time of holding the February term of the Mason Circuit Court.

An act to incorporate Noah's Dove Lodge, No. 20, Independent Order of Odd Fellows, of Newport.

And an enrolled resolution which originated in the House of Representatives, in relation to firing a national salute on the 8th January and 22d February.

And had found the same truly enrolled.

The said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Irvine reported that the committee had performed that duty.

And then the Senate adjourned.

THURSDAY, JANUARY 10, 1856.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate of the following titles, viz:

An act to amend the charter of the Richmond and Irvine Turnpike Road Company.

An act to incorporate the Speedwell Turnpike Road Company in Madison county.

That they had disagreed to a bill from the Senate, entitled, an act for the benefit of R. C. Wintersmith.

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That they had passed bills of the following titles, viz:

- 1. An act to incorporate the Green River Coal and Manufacturing Company.
- 2. An act to amend an act, entitled, an act to charter the Louisville, and Nashville Railroad Company.
 - 3. An act to amend the charter of the town of Hopkinsville.
- 4. An act to amend an act, entitled, an act to incorporate the Peach Orchard Coal Company.
- 5. An act to change the time of holding the County Courts of Oldham county.
 - 6. An act to regulate the time of holding the Carroll County Courts. Which were read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with—the 1st was referred to the committee on Agriculture and Manufactures; the 2d to the committee on Internal Improvement; the 3d and 4th to the committee on the Judiciary; and the 5th and 6th to the committee on County Courts.

- 1. Mr. Smith presented the petition of sundry citizens of Scott county, praying that B. F. and D. J. Offutt, may be compensated for the killing of a slave.
- 2. Also, the memorial of R. J. Breckinridge in relation to the license
- laws. 3. Mr. Sudduth presented the petition of Lewis Trimble, praying the passage of an act allowing him to peddle goods without a license.
- 4. Mr. Ripley presented the petition of S. S. Hamilton and others, securities of Charles Quiry, asking further time to pay the revenue of

Which were received, the reading dispensed with, and referred—the 1st, 3d and 4th to the committee on Finance; and the 2d to the committee on the Revised Statutes.

On motion of Mr. Smith-

Ordered, That he be excused from serving on the committee on Judicial Districts, and that Mr. Irvine be substituted in his place.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Harris, from the committee on County Courts-1. A bill to incorporte the Mechanics' Fire Company, No. 1, of Jersey City and Paducah, Kentucky.

By same-2. A bill to incorporate the Relief Fire Company, No. 2, of

Paducah. By Mr. Kohlhass, from the committee on Internal Improvement-3. A bill for the benefit of the Foster Turnpike Road Company.

By Mr. McFarland, from the committee on Agriculture and Manu-

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factures—4. A bill to incorporate the Daviess county Agricultural and Mechanical Association.

By Mr. Silvertooth, from a select committee—5. A bill to amend an act, entitled, an act to incorporate the Hickman and State Line Plank Road Company.

By Mr. Irvine, from a select committee—6. A bill to amend the law in relation to the sale of spirituous liquors.

By Mr. Smith, from a select committee—7. A bill to establish the Kentucky Institution for the education of idiotic and imbecile children.

Which were read the first time and ordered to be read a second time.

The constitutional provision, as to the second reading of said bills being dispensed with—the 1st, 2d, 3d, 4th and 5th were ordered to be engrossed and read a third time; the 6th was ordered to be printed and referred to the committee on Revised Statutes; and the 7th was ordered to be printed, and made the special order of the day for the 22d inst.

The constitutional provision as to the third reading of the 1st, 2d, 3d, 4th and 5th of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they were referred, without amendment:

By Mr. Kohlhass, from the committee on Internal Improvement— An act to charter the Muldraugh's Hill and Green River Turnpike

An act to charter the Muldraugh's Hill and Green River Turnpike Road Company.

By Mr. McFarland, from the committee on Agriculture and Manufactures—

An act to incorporate the Union Agricultural and Improvement Association of Mason and Bracken counties.

By same-

An act to incorporate the North Kentucky Agricultural Society.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Barlow, from the committee on Finance, to whom was referred the petition of John D. Mannin, reported the same with the following resolution thereon:

Resolved, That said petition be rejected.

Ordered, That said petition be re-committed to the committee on Finance.

Mr. Barlow, from the same committee, asked to be discharged from the further consideration of a leave to bring in a bill for the benefit of David Calhoun and William Walker.

Which was granted.

On motion of Mr. Silvertooth-

Ordered, That he be excused from serving on the committee of the Codes of Practice, and that Mr. Matthewson be substituted in his place.

The Senate, according to order, took up for consideration, a bill to prevent fraudulent assignments in trust for creditors, and other fraudu-

lent conveyances.

Mr. Wadsworth moved a substitute for said bill.

Ordered, That said substitute be printed, and that the bill and substitute be made the special order of the day for Saturday next, at 11 o'clock, A. M.

The Senate also took up for consideration, a bill for the benefit of

Jane Carey.

Ordered, That said bill be engrossed and read a third time. Ordered, That said bill be placed in the orders of the day.

Also, a bill to incorporate the Washington Insurance Company of Louisville.

Ordered, That said bill be referred to the committee on the Judiciary.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State, that he had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act to change the time of holding the February term of the Ma-

son Circuit Court.

An act to incorporate Noah's Dove Lodge, of the Independent Order of Odd Fellows, of Newport.

Leave was given to bring in the following bills, viz:

On motion of Mr. Cavan—1. A bill for the benefit of the late Sheriffs and Deputy Sheriffs of Nicholas county.

On motion of Mr. Hardin—2. A bill to amend the charter of the Greenville Institute, in Mercer county.

On motion of Mr. Sudduth—3. A bill for the benefit of Mrs. Sulina Turpin.

On motion of Mr. Hardin—4. A bill to amend an act incorporating

Bacon College.

On motion of Mr. Wadsworth—5. A bill to amend an act incorporating the town of Sardis, in Mason county.

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On motion of Mr. Blain-6. A bill to amend the charter of the Knobb Lick and Stanford Turnpike Road Company.

On motion of same—7. A bill incorporating the Hawkins Branch Turnpike Road Company.

On motion of Mr. Wadsworth—8. A bill to incorporate the Neptune Fire Engine and Hose Company, of Maysville.

On motion of Mr. Allen—9. A bill for the benefit of Bright & Chapman, of Madison, Indiana.

On motion of Mr. Martin—10. A bill in relation to the duties of Commonwealth's Attorneys.

On motion of Mr. Burton—11. A bill to amend the charter of the town of Danville.

On motion of Mr. Allen-12. A bill for the benefit of A. O. Bannon, of Henry county.

On motion of Mr. King—13. A bill to establish two additional terms of the McCracken Circuit Court.

The committee on Finance were instructed to prepare and bring in the 1st and 9th; the committee on the Judiciary the 2d, 4th, 5th, 8th, 10th and 11th; the committee on Internal Improvement the 6th and 7th; the committee on Propositions and Grievances the 12th; the committee on Circuit Courts the 13th; and Messrs. Sudduth, Wadsworth and Howell were appointed a committee to prepare and bring in the 3d.

And then the Senate adjourned.

FRIDAY, JANUARY 11, 1856.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate entitled,

An act to facilitate the trial of equity causes.

That they had passed bills of the following titles, viz:

1. An act to amend the charter of the Louisville and Memphis Railroad Company.

2. An act to incorporate the Great Western Mining and Manufacturing Company.

3. An act to amend an act incorporating the Frankfort, Georgetown and Paris Turnpike Road Company:

4. An act to incorporate the Taylor County and Muldraugh's Hill Turnpike Road Company.

5. An act to amend the charter of the Greensburg and Taylor County Turnpike Road Company.

6. An act to incorporate the Owensboro and Wolf Hill Railroad Company.

Which were read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills having been dispensed with, they were referred—the 1st, 2d, 4th, 5th and 6th to the committee on Internal Improvement; and 3d to the committee on the Judiciary.

Mr. Howell presented the petition of sundry citizens of the counties of Nelson, Washington and Anderson, praying the formation of a new county out of parts of said counties.

Mr. Sudduth presented the petition of the Bourbon bar, praying the passage of an act increasing the jurisdiction of the Presiding Judges.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Propositions and Grievances; and the 2d to the committee on County Courts.

The following bills were reported from the several committees appointed to prepare and bring in the same:

By Mr. Buckner, from the committee on the Judiciary—1. A bill to incorporate the Kentucky and Tennessee Mining and Manufacturing Company.

By same—2. A bill for the benefit of James T. Garnett, of Christian county.

By Mr. Harris, from the committee on County Courts—3. A bill to authorize the County Court of McCracken county to change the Gray's Ferry Road.

By same—4. A bill to authorize the McCracken County Court to increase the county levy to build a Court House and Jail.

By same—5. A bill creating the office of Police Judge, in the town of Wyoming, in Bath county.

By same—6. A bill to increase the jurisdiction of the Bourbon County Court.

By same—7. A bill to amend an act, entitled, an act to authorize the town of Paducah to subscribe stock in certain railroads, approved January 7th, 1852, and an act, entitled, an act to authorize the county of McCracken to subscribe stock in certain railroads, approved January 7th, 1852.

By Mr. Kohlhass, from the committee on Internal Improvement-8.

Amount due to agents,

39 73

A bill to amend the charter of the Georgetown and Paris Turnpike Road Company.

By Mr. Barlow, from the committee on Finance—9. A bill for the benefit of the securities of Charles Quiry, late Sheriff of Jefferson county.

By same—10. A bill for the benefit of the late Sheriffs and Deputy Sheriffs of Nicholas county.

By Mr. Woodson, from the committee on the Penitentiary—11. A bill for the benefit of the Keeper of the Penitentiary.

Which were read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass and that the titles thereof be as aforesaid.

The Speaker laid before the Senate the report of the President of the Kentucky and Louisville Mutual Insurance Company; which is as follows, viz:

A general report of the business of the Kentucky and Louisville Mutual Insurance Company, up to and including the 30th November, 1855.

The whole number of Policies issued	on real	estate,	since	the	24th	April,	1839, is 2,308,
insuring property to the amount of			10-01	-	-16 -15 V	F. 1	\$ 5,721,392 50
Deduct the amount insured by Policies	expired,			4	13	120	3,280,963 88

Leaving at risk on Real Estate, Dec. 1, 1855,	maibi -	nity-	1		\$ 2,440,428 62
There also have been insured Policies on Merchan- ruary, 1844, 45, insuring Merchandise to the am Deduct the amount insured by Policies expired,		e the 2	27th F	eb-	\$ 89,160 00 67,860 00
Leaving at risk, December 1, 1855,					\$ 21,300 00
The whole amount of Premium Notes taken is Deduct amount of Premium Notes discharged is					\$ 411,995 17 216,385 22
Leaving in force, Dec. 1, 1855, as a fund liable to	assessm	ent,			\$ 195,609 95
Amount received for premium and fees for Policie Amount received for premium and fees for Policie Amount received for extra premium for increased Amount received for extra premium for increased	es on Mer risks,	l Esta	ate, lise,		40,548 11 2,814 62 999 86 68,356 79

												\$ 112,799 07
Paid for expenses si	nce .	Apri	1. 18	39.	18-1			2	. Uni			29,991 85
Paid for losses,			-	A STATE OF	-	-	- 70	-	-		-	76,884 81
Paid for commission	s to	ager	its.		-	-	-	-	4.15	-	-	1,905 (7
Due from agents,		+		440	-	-		-	-		10-15	249 17
Cash balance.	- 197	-		-	-	-	1	-	-	-	4	3,767 17

Then he do so busy of a by print hear only better the	\$ 112,799 (7
Amount of losses previous to the 30th November, 1854,	76,498 (0

Amount of losses previous to the 30th November, 1854, Amount of losses during last year,	-	-		386 21
Whole amount of losses from March, 1849, to present the	me,			\$ 76,884 81

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At a meeting of the Board of Directors of the Kentucky and Louis-ville Mutual Insurance Company, at their office in the city of Louis-ville, on the 7th January, 1856, the Secretary of said Company sub-mitted to the Board a general report of the condition, progress and affairs of the company, which being approved, was adopted, and the President is directed to furnish a copy of the same to the General Assembly of this State, agreeably to the requisition of the 22d section of the charter of this Company.

Office of the Ky. and Louisville Mutual Insurance Company Louisville, January 9, 1856.

To the Honorable, the President of the Senate of the State of Kentucky:

Sir: In obedience to the requisition of the 22d section of the charter of this company, and the order of the board, I herewith transmit to you the foregoing report of the condition, progress and affairs of this Company, from the commencement of their business up to and including the 30th November last, and request that you will lay the same before the body over which you preside.

I have the honor to be,

Very respectfully yours, &c., W. H. STOKES, President pro tem.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they were referred, viz.

By Mr. Buckner, from the committee on the Judiciary—1. An act for the benefit of Charles Linn, Sr., of Calloway county.

By Mr. Harris, from the committee on County Courts—2. An act to change the time of holding the County Courts of Oldham county.

By same—3. An act to regulate the time of holding the Carroll County Courts.

By same—4. An act prohibiting Magistrates from taxing attorney's

By Mr. Barlow, from the committee on Finance—5. An act for the benefit of W. B. A. Baker, late Sheriff of Mason county.

With an amendment to the 4th of said bills.

Which was concurred in.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Harris, from the committee on County Courts, reported a bill to amend the 68th chapter of the Revised Statutes.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed with,

The question was then taken on the passage of said bill and it was decided in the affirmative.

The year and nays being required thereon by Messrs. Hogan and Walton, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain. James F. Buckner, William Howe Jesse W. Burton, David Irvine, Nathaniel W. Collins, Theodore Kohlhass, W. H. Wadsworth, George T. Edwards, Daniel Matthewson, D. K. Weis, Sylvester Harris, Wiley S. Hay,

Samuel Howard, William Howell, D. Howard Smith, John S. McFarland,

Charles Ripley, Shelby Stone, John A. Cavan, John Q. A. King, James Sudduth, Tucker Woodson-22.

Those who voted in the negative, were-

Charles H. Allen, James D. Hardin, John S. Barlow, James D. Headley, C. J. Walton, William L. Conklin, Overton P. Hogan, John Williams, T. W. W. DeCourcey, John P. Martin, George Wright-13. William C. Gillis,

George W. Silvertooth,

Resolved, That the title of said bill be as aforesaid.

Mr. Kohlhass, from the committee on Internal Improvement, to whom was referred a bill from the House of Representatives, entitled, an act to amend an act, entitled, an act to charter the Louisville and Nashville Railroad Company, reported the same without amendment.

Ordered, That said bill be placed in the orders of the day.

Mr. Barlow, from the committee on Finance, reported a bill appropriating money for the preparation of registration reports and tables.

Which was read the first time, and ordered to be read a second time. The constitutional provision as to the second and third readings of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill and it was decideh in the affirmative.

The year and nays being taken thereon, in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain. James F. Buckner, Jesse W. Burton, John A. Cavan, William L. Conklin, George T. Edwards, Daniel Matthewson, John Williams, William C. Gillis, James D. Hardin, Charles Ripley, George Wright-31. Wiley S. Hay, Mr. irrine, from the committee on Epicalloungs

William Howell, Shelby Stone, David Irvine, John Q. A. King,
Theodore Kohlhass,

C. J. Walton, John S. McFarland,

John S. Barlow, James D. Headley, George W. Silvertooth, Overton P. Hogan, D. Howard Smith, James Sudduth, T. W. W. DeCourcey, John P. Martin, D. K. Weis, Tucker Woodson,

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Those who voted in the negative, were-

Charles H. Allen. Nathaniel W. Collins, Samuel Howard-3.

Resolved, That the title of said bill be as aforesaid.

Mr. Barlow, from the same committee, reported a bill for the benefit of J. D. Mannin.

Which was read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor be and he is hereby directed to draw his warrant on the Treasurer, in favor of John D. Mannin, for the sum of fifty dollars, to be paid out of any money in the Treasury not otherwise appropriated.

Ordered, That said bills be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Irvine moved to amend said bill, by striking out the word fifty and inserting in lieu thereof the words one hundred.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Martin and Hogan, were as follows, viz:

Those who voted in the affirmative, were-

Jesse W. Burton, John A. Cavan,	Overton P. Hogan, David Irvine,	W. H. Wadsworth, John Williams,
Nathaniel W. Collins,		Tucker Woodson,
T. W. W. Decourcey,	D. Howard Smith,	George Wright-14.
William C. Gillis,	Shelby Stone,	and the sale of the sale of

Those who voted in the negative, were-

Charles H. Allen,	Sylvester Harris,	John P. Martin,
John S. Barlow,	Wiley S. Hay,	Daniel Matthewson,
Robert Blain,	James D. Headley,	John S. McFarland,
James F. Buckner,	Samuel Howard,	George W. Silvertooth,
William L. Conklin,	William Howell,	James Sudduth,
George T. Edwards,	John Q. A. King,	C. J. Walton,
James D. Hardin.	Theodore Kohlhass.	D. K. Weis—21.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Blain, from the committee on Propositions and Grievances, asked to be discharged from the further consideration of a leave to them referred to bring in a bill for the benefit of John McLean and Jesse Rankin.

Which was granted.

Ordered, That said leave be referred to the committee on Finance. Mr. Irvine, from the committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Richmond and Irvine Turnpike Road Company.

An act to incorporate the Speedwell Turnpike Road Company in Madison county.

An act to confirm the establishment of the Louisville and Newburg road, in Jefferson County Court, and to change the name thereof.

An act to incorporate the Hopkins Mastodon, Coal and Iron Mining and Manufacturing Company.

And had found the same truly enrolled.

The said bills and having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Irvine reported that the committee had performed that duty.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act to incorporate the Speedwell Turnpike Road Company in Madison county.

An act to confirm the establishment of the Louisville and Newburg Road in Jefferson county, and to change the name thereof.

An act to amend the charter of the Richmond and Irvine Turnpike Road Company.

An act to incorporate the Hopkins Mastodon Coal and Iron Mining and Manutacturing Company.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed an enrolled resolution which originated in the House of Representatives to fire a national salute on the 8th January and 22d February.

Courts; the Tile to the empiriture on Asynchism and March

And then the Senate adjourned.

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FRIDAY, JANUARY 12, 1856.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate of the following titles, viz:

An act to establish an additional voting place in Hay's district in Hickman county.

An act to amend section 900 of the Code of Practice in civil cases.

That they had passed bills of the following titles, viz:

1. An act to amend an act, enitled, an act to extend the duties of Commissioners of Tax, approved March 18, 1851.

2. An act to change the place of voting in Radford's precinct in Calloway county, and in Hayne's district in Graves county.

3. An act authorizing the Jessamine County Court to sell a portion of the poor-house land in said county.

4. An act to change the time of holding the January term of the Fleming Quarterly Court.

5. An act to render effectual the road law in Pendleton county.

6. An act to amend an act, entitled, an act to regulate the town of Falmouth, in Pendleton county.

7. An act better to regulate the standard weights of certain products.

8. An act to amend the charter of the city of Smithland.

9. An act to amend the charter of the Protestant Episcopal Orphan Asylum, of the city of Louisville.

10. An act for the benefit of Nathan W. Curry.

11. An act to establish the county of Rowan.

12. An act for the benefit of William Hanna, of Bracken county.

13. An act for the benefit of John Moore, Jailer of Green county.

14. An act for the benefit of Dixon C. Murphy, of Barren county.

Which were read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills having been dispensed with, they were referred—the 1st, 5th, 6th, 8th and 9th to the committee on the Judiciary; the 2d to the committee on Privileges and Elections; the 3d and 4th to the committee on County Courts; the 7th to the committee on Agriculture and Manufactures; the 10th and 11th to the committee on Propositions and Grievances; and the 12th, 13th and 14th to the committee on Finance.

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- 3. An act authorizing the Jessamine County Court to sell a portion of the poor-house land in said county.
- 4. An act to change the time of holding the January term of the Fleming Quarterly Court.
- 5. An act to render effectual the road law in Pendleton county.
- 6. An act to amend an act, entitled, an act to regulate the town of Falmouth, in Pendleton county.
- 7. An act better to regulate the standard weights of certain products.
 - 8. An act to amend the charter of the city of Smithland.
- 9. An act to amend the charter of the Protestant Episcopal Orphan Asylum, of the city of Louisville.
- 10. An act for the benefit of Nathan W. Curry.
- 11. An act to establish the county of Rowan.
- 12. An act for the benefit of William Hanna, of Bracken county.
- 13. An act for the benefit of John Moore, Jailer of Green county.
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Which were read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills having been dispensed with, they were referred—the 1st, 5th, 6th, 8th and 9th to the committee on the Judiciary; the 2d to the committee on Privileges and Elections; the 3d and 4th to the committee on County Courts; the 7th to the committee on Agriculture and Manufactures; the 10th and 11th to the committee on Propositions and Grievances; and the 12th, 13th and 14th to the committee on Finance,

1. Mr. Cavan presented the petition of William R. Hedges, praying the passage of an act for the benefit of Slaty Point School District in Fleming county.

2. Mr. King presented the remonstrance of sundry citizens of the town of Princeton, against the repeal of an act, entitled, an act to amend and reduce into one, the several acts relating to the town of Princeton.

3. Mr. Barlow presented the petition of Reuben Smith, praying the passage of an act authorizing him to change a certain road.

Which petitions and memorial were received, the reading dispensed with and referred—the 1st to the committee on Education; the 2d to the committee on the Judiciary; and the 3d to the committee on Internal Improvement.

Ordered, That the Public Printer print 150 copies of the standing committees of the Senate, as now arranged, for the use of the General Assembly.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they were referred, viz.

By Mr. Silvertooth, from the committe on the Judiciary-1. An act for the benefit of Moseby Stratton, of Ballard county.

By same—2. An act to amend an act, entitled, an act to incorporate the Peach Orchard Coal Company.

By Mr. Buckner, from the same committee—3. An act for the benefit of E. J. Starr and his adopted daughter Laura.

By same—4. An act to amend the charter of the town of Hopkinsville.

With amendments to the 2d of said bills.

Which was concurred in.

Ordered, That said bills, the 2d as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported from the several committees to whom they were referred:

By Mr. Silvertooth, from the committee on the Judiciary-

A bill to incorporate the Washington Insurance Company of Louisville.

By Mr. Cavan, from the committee on Revised Statutes-

A bill to incorporate the First Presbyterian Church of Ashland.

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed, Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Buckner, from the committee on the Judiciary, to whom was referred a bill to incorporate Oxford Lodge, No. 176, of Ancient York Masons, reported the same with the expression of opinion that it ought not to pass.

And the question being taken on ordering said bill to be engrossed

and read a third time, it was decided in the negative.

So the said bill was rejected.

Mr. Buckner, from the same committee, to whom was referred a bill to incorporate Logan Lodge, No. 73, I. O. O. F., reported the same with an expression of opinion that it ought not to pass.

And the question being taken on ordering said bill to be engrossed

and read a third time, it was decided in the negative.

So the said bill was rejected.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Silvertooth, from the committee on the Judiciary-1. A bill

for the benefit of Abram Hite and Selina C. Hite.

By same-2. A bill providing for special Judges.

By same-3. A bill allowing a change of venue in certain cases.

By same—4. A bill to charter the Trade Water Coal and Iron Mining Company.

By Mr. Buckner, from the same committee—5. A bill to incorporate the Neptune Fire Engine and Hose Company, No. 2, of Maysville.

By Mr. Irvine, from a select committe—6. A bill to amend the several acts in relation to peddlers.

By Mr. Martin, from a select committee—7. A bill to authorize the sale of certain alleys in the town of Prestonsburg, Floyd county.

By Mr. Wadsworth, from the committee on Education—8. A bill authorizing the School Commissioners of Calloway county, to enlarge New Concord school district.

Which were read the first time and ordered to be read a second time.

The constitutional provision, as to the second reading of said bills being dispensed with—the 1st, 2d, 3d, 4th, 5th, 7th and 8th were ordered to be engrossed and read a third time; and the 6th was referred to the committee on the Judiciary.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State.

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Buckner, from the committee on the Judiciary, to whom was referred a bill to incorporate Oxford Lodge, No. 176, of Ancient York Masons, reported the same with the expression of opinion that it ought not to pass.

And the question being taken on ordering said bill to be engrossed and read a third time, it was decided in the negative.

So the said bill was rejected.

Mr. Buckner, from the same committee, to whom was referred a bill to incorporate Logan Lodge, No. 73, I. O. O. F., reported the same with an expression of opinion that it ought not to pass.

And the question being taken on ordering said bill to be engrossed and read a third time, it was decided in the negative.

So the said bill was rejected.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Silvertooth, from the committee on the Judiciary—1. A bill for the benefit of Abram Hite and Selina C. Hite.

By same-2. A bill providing for special Judges.

By same-3. A bill allowing a change of venue in certain cases.

By same—4. A bill to charter the Trade Water Coal and Iron Mining Company.

By Mr. Buckner, from the same committee—5. A bill to incorporate the Neptune Fire Engine and Hose Company, No. 2, of Maysville.

By Mr. Irvine, from a select committe—6. A bill to amend the several acts in relation to peddlers.

By Mr. Martin, from a select committee—7. A bill to authorize the sale of certain alleys in the town of Prestonsburg, Floyd county.

By Mr. Wadsworth, from the committee on Education—8. A bill authorizing the School Commissioners of Calloway county, to enlarge New Concord school district.

Which were read the first time and ordered to be read a second time. The constitutional provision, as to the second reading of said bills being dispensed with—the 1st, 2d, 3d, 4th, 5th, 7th and 8th were ordered to be engrossed and read a third time; and the 6th was referred to the committee on the Judiciary.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

 Λ message was received from the Governor, by Mr. Bibb, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up, and read as follows:

COMMONWEALTH OF KENTUCKY,

EXECUTIVE OFFICE, January 12, 1856.

Gentlemen of the Senate and House of Representatives:

I herewith transmit the reports of the Superintendents and managers of the Eastern and Western Lunatic Asylums, located at Lexington and Hopkinsville.

C. S. MOREHEAD.

[For Report—see Legislative Documents.]

A message was also received from the Governor, by Mr. Bibb.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

COMMOMWEALTH OF KENTUCKY,

EXECUTIVE OFFICE,

January 12, 1856.

Gentlemen of the Senate and House of Representativs:

I herewith transmit the report made to me by the Commissioners appointed under an act, entitled an act to pay the debts now due to contractors on the second Kentucky Lunatic Asylum, and to provide for the prosecution of the work to completion, approved March 10, 1854.

C. S. MOREHEAD.

[For Report—see Legislative Documents.]

Ordered, That the Public Printer print the usual number of copies of each of said reports for the use of the Senate.

The Senate, according to order, took up for consideration, a bill to prevent fraudulent assignments in trust for creditors, and other fraudulent conveyances, with a pending amendment.

Mr. Wadsworth moved to amend the amendment.

Ordered, That the consideration of said bill and amendments, be postponed and made the special order of the day for Tuesday, the 15th inst., at 11 o'clock, A. M.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up, and read as follws, viz:

Executive Department, January 12, 1856.

Gentlemen of the Senate:

I nominate for your advice and consent the following persons to be Notaries Public:

John C. Dewees, for Mason county. James A. Beattie, for Jefferson county. Edward H. Phelps, for Kenton county.

Richard Apperson, Jr., for Montgomery county.

C. S. MOREHEAD.

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Resolved, That the Senate advise and consent to said nominations.

Mr. King offered the following joint resolution.

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

Whereas, it is represented to this General Assembly, that it is contemplated by the Legislature of the State of Louisiana to abolish the voluntary system of inspection of pork, flour, and tobacco in the city of New Orleans, and such a step would result in serious loss and great inconvenience to the producers of these articles in the State of Kentucky. Therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the Legislature of the State of Louisiana be and it is hereby earnestly and respectfully requested to permit voluntary system of inspection to remain as it now is, for experience has shown that under its operations, the producers of Kentucky have been much more benefitted than under the old compulsory system of inspection.

Resolved, That the Governor of this Commonwealth be requested to forward a copy of this preamble and resolutions to the Governor of Louisiana with a request that he lay them before the Legislature of that State.

The question was then taken on the adoption of said resolutions, and it was decided in the affirmative.

On motion of Mr. Wadsworth, Mr. Matthewson was added to the committee on Education.

Leave was given to bring in the following bills, viz:

On motion of Mr. Conklin—I. A bill to amend the 9th section, 11th article of the Revised Statutes, entitled, Larceny.

On motion of Mr. Sudduth—2. A bill for the benefit of the Sheriff of Bath county.

On motion of Mr. Silvertooth—3. A bill for the benefit of S. P. Bartlett, of Hickmon county.

On motion of Mr. Ripley—4. A bill to regulate the time of filing records in appeal cases in the Appellate Court

On Motion of Mr. Hardin—5. A bill for the benefit of and to increase the common school fund.

On motion of Mr. Wadsworth—6. A bill to amend the charter of the Helena Turnpike Road Company.

On motion of Mr. Weis—7. A bill for the benefit of Jacob Rice, late Seeriff of Car.er county.

An motion of Mr. Howell—8. A bill for the benefit of common school district, No. 20, in Larue county.

On motion of Mr. Haggin—9. A bill to amend the existing law regulating the rate of interest.

On motion of Mr. Hogan-10. A bill better to protect the slave property of this commonwealth.

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Resolved, That the Senate advise and consent to said nominations.

Mr. King offered the following joint resolution.

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

Whereas, it is represented to this General Assembly, that it is contemplated by the Legislature of the State of Louisiana to abolish the voluntary system of inspection of pork, flour, and tobacco in the city of New Orleans, and such a step would result in serious loss and great inconvenience to the producers of these articles in the State of Kentucky. Therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the Legislature of the State of Louisiana be and it is hereby earnestly and respectfully requested to permit voluntary system of inspection to remain as it now is, for experience has shown that under its operations, the producers of Kentucky have been much more benefitted than under the old compulsory system of inspection.

Resolved, That the Governor of this Commonwealth be requested to forward a copy of this preamble and resolutions to the Governor of Louisiana with a request that he lay them before the Legislature of that State.

The question was then taken on the adoption of said resolutions, and it was decided in the affirmative.

On motion of Mr. Wadsworth, Mr. Matthewson was added to the committee on Education.

Leave was given to bring in the following bills, viz:

On motion of Mr. Conklin—1. A bill to amend the 9th section, 11th article of the Revised Statutes, entitled, Larceny.

On motion of Mr. Sudduth—2. A bill for the benefit of the Sheriff of Bath county.

On motion of Mr. Silvertooth—3. A bill for the benefit of S. P. Bartlett, of Hickmon county.

On motion of Mr. Ripley—4. A bill to regulate the time of filing records in appeal cases in the Appellate Court.

On Motion of Mr. Hardin—5. A bill for the benefit of and to increase the common school fund.

On motion of Mr. Wadsworth—6. A bill to amend the charter of the Helena Turnpike Road Company.

On motion of Mr. Weis—7. A bill for the benefit of Jacob Rice, late Seeriff of Car.er county.

An motion of Mr. Howell—8. A bill for the benefit of common school district, No. 20, in Larue county.

On motion of Mr. Haggin—9. A bill to amend the existing law regulating the rate of interest.

On motion of Mr. Hogan-10. A bill better to protect the slave property of this commonwealth.

The committee on Revised Statutes was directed to prepare and bring in the 1st; the committee on Finance the 2d, 5th and 7th; the committee on the Court of Appeals the 4th; the committee on Internal Improvement the 6th; the committee on Education the 8th; the committee on the Judiciary the 9th and 10th; and Messrs. Silvertooth, Martin and Buckner were appointed a committee to prepare and bring in the 3d.

And then the Senate adjourned.

MONDAY, JANUARY 14, 1856.

ATTER HE AND LEADING LAW SEED DESCRIPTION

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate entitled,

An act for the benefit of the sureities of Charles Quiry, late Sheriff of Jefferson county.

That they had passed a bill entitled, an act repealing an act incorporating the town of Barboursville.

Which was read the first time, and ordered to be read a second time. The constitutional provision as to the second reading of said bill being dispensed with, it was referred to the committee on County Courts.

Mr. Harris, from the committee on County Courts, asked to be discharged from the further consideration of a resolution to them referred in relation to the expediency of increasing and further regulating the fees of County Court Judges.

Which was granted.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they were referred, without amendment:

By Mr. Blain, from the committee on County Courts-

An act authorizing the Jessamine County Court to sell a portion of the poor-house land in said county.

By Mr. Kohlhass, from the committee on Internal Improvement— An act to amend the charter of the Greensburg and Taylor County Turnpike Road Company.

of Lebergh as w salman showing in an antimum solT By same-

An act to incorporate the Taylor County and Muldraugh's Hill By Mr. Weis, from the same committee— Turnpike Road Company.

An act to incorporate the Great Western Mining and Manufacturing Company.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as

aforesaid.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Blain, from the committee on Propositions and Grievances-

A bill for the benefit of Ambrose O'Bannon.

By same-

A bill for the benefit of Conrod Carpenter.

Mr. Kohlhass, from the committee on Internal Improvement-

A bill to amend an act, entitled, an act to incorporate the Perryville and Mitchelsburg Turnpike Road, approved March 7, 1854.

By same-

A bill to amend the charter of the Helena Turnpike Road Company.

By same— garage of the same and the same and the same and the world will W A bill to amend the charter of the Knobb Lick Turnpike Road Comcontinuous and at boriston, and il dilas basnonsib guind

By Mr. Conklin, from the committee on Circuit Courts-

A bill to establish two additional terms of the McCracken Circuit

By Mr. Silvertooth, from a select committee-

A bill for the benefit of L. P. Bartlett, of Hickman county.

Which were read the first time and ordered to be read a second time-The constitutional provision as to the second and third readings of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as

Mr. Barlow, from a select committee, reported a bill to incorporate the Barren county and Mammoth Cave Plank Road Company.

Which was read the first time, and ordered to be read a second time. The constitutional provision as to the second reading of said bill being dispensed with, it was referred to the committee on Internal Im-

Mr. Sudduth, from a select committee, asked to be discharged from

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the further consideration of a leave to bring in a bill for the benefit of Mrs. Salina Turpin.

Which was granted.

Mr. Irvine, from the committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to establish an additional voting place in Hayes' district, in Hickman county.

An act to facilitate the trial of equity causes.

An act to amend section 900 of the Code of Practice in civil cases.

And enrolled bills which originated in the House of Representatives of the following titles, viz:

An act to incorporate the North Kentucky Agricultural Society.

An act to incorporate the Union Agricultural and Improvement Association of Mason and Bracken counties.

An act for the benefit of W. B. A. Baker, late Sheriff of Mason county. Interpreted and transport and up any property and the T

An act to change the route of the Wilderness Turnpike Road. An act to legalize the subscription of the Woodford County Court to the Versailles and Munday's Landing Turnpike Road.

An act to charter the Muldraugh's Hill and Green River Turnpike Road Company.

An act for the benefit of Elizabeth Rucker.

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Irvine reported that the committee had performed that duty. Manufactured and all duff yourself and an administration

The Senate took up for consideration an engrossed bill entitled, an act for the benefit of Jane Carey.

Said bill was read a third time.

The question was then taken on the passage of said bill and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hogan and Allen, were as follows, viz:

Those who voted in the affirmative, were-

James F. Buckner, Wiley S. Hay, D. Howard Smith, John A. Cavan, Samuel Howard, James Sudduth, William L. Conklin, David Irvine, W. H. Wadsworth, T. W. W. DeCourcey, Theodore Kohlhass, D. K. Weis, William C. Gillis, John S. McFarland, John Williams—20. William T. Haggin, Charles Ripley,

Robert Blain, Sylvester Harris, George W. Silvertooth,

Those who voted in the negative, were-

	James D. Headley, Overton P. Hogan, John Q. A. King, John P. Martin,	Daniel Matthewson, Shelby Stone, C. J. Walton, George Wright—13.
Tomas D Handin		

Resolved. That the title of said bill be as aforesaid.

Also, a bill from the House of Representatives, entitled,

An act to amend an act, entitled, an act to charter the Louisville and Nashville Railroad Company.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill be ing dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Barlow moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to enquire into the propriety and expediency of so amending the law in relation to the trial of right of property so as to re-enact the old law or something similar thereto.

Which was adopted.

A message was received from the Governor, by Mr. Brown, Secretary of State.

The rule of the Senate being dispensed with, said message was taken up, and read as follows:

EXECUTIVE DEPARTMENT, January 14, 1856.

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Gentlemen of the Senate:

I nominate for your advice and consent,

P. S. Bush, to be Notary Public for Kenton county.

L. Y. Millspaugh, to be Notary Public for Montgomery county.

R. T. Durrett, to be Notary Public for Jefferson county.

M. S. Fields, to be Notary Public for Jefferson county.

W. C. Price, to be Notary Public for Jefferson county.

H. T. Stanton, to be Notary Public for Mason county.

A. M. Hancock, to be Notary Public for Spencer county.

R. S. Evans, to be Notary Public for Jefferson county.

C. D. Pennebaker, to be Notary Public for Jefferson county.

H. C. McDowell, to be Notary Public for Jefferson county. D. H. Hughes, to be Notary Public for Marion county.

J. W. Earick, to be Notary Public for Jefferson county.

Joseph McGrorty, to be Notary Public for Mercer county.

E. A. Miller, to be Notary Public for Campbell county.

N. S. Andrews, to be Notary Public for Fleming county.

Thos. A. Ross, to be Notary Public for Mason county. John W. Barr, to be Notary Public for Jefferson county.

James Harrison, to be Notary Public for Jefferson county.

John C. Steele, to be Notary Public for Fulton county.

Thos. M. Smith, to be Notary Public for Jefferson county.

George M. Thomas, to be Notary Public for Lewis.

Henry C. King, to be Notary Public for McCracken county.

C. S. MORÉHEAD.

Resolved, That the Senate advise and consent to said nominations. Leave was given to bring in the following bills, viz:

On motion of Mr. Barlow—1. A bill for the benefit of John P. Campbell, James F. Buckner and Samuel Shryock, late building commissioners of the Western Lunatic Asylum.

On motion of Mr. Sudduth—2. A bill more effectually to provide for the safe keeping of the Public Library.

On motion of Mr. King—3. A bill to declare the South Kentuckian an authorized newspaper.

On motion of Mr. Irvine—4. A bill to increase the tax on brokers' licenses.

On motion of Mr. Silvertooth—5. A bill to incorporate the Hickman and Graves county Plank Road Company.

On motion of Mr. Stone—6. A bill to amend the law in relation to tippling-houses.

On motion of Mr. King-7. A bill for the benefit of William Winston, Jr., of McCracken county.

On motion of Mr. Williams—8. A bill for the benefit of the late Sheriff of Harrison county.

On motion of same—9. A bill allowing James C. Currie, late clerk of the Harrison Circuit Court, further time to collect fee bills.

On motion of Mr. Hogan—10. A bill for the benefit of the Sheriffs of Pendleton county.

On motion of Mr. Kohlhass—11. A bill to incorporate the Oil Springs Medicinal Water Company of Clarke county.

On motion of Mr. Burton-12. A bill to amend the charter of Perryville Seminary.

On motion of Mr. King-13. A bill requiring County Judges to make settlements of all taxes in their hands.

On motion of Mr. Burton—14. A bill to incorporate the Merchants' Deposit Bank of Danville.

On motion of Mr. Sudduth—15. A bill to amend the 10th section, chapter 13 of the Revised Statutes.

On motion of Mr. Hay-16. A bill to incorporate the Ebenezer Baptist Church, in Muhlenburg county.

On motion of Mr. Gillis—17. A bill changing the time when School Trustees and Commissioners shall make their report,

On motion of Mr. Hardin—18. A bill to amend the 3d section, 4th

the said keeping of the Public Library.

an authorized newspaper

JAN. 15.

article, 83 chapter of the Revised Statutes in relation to the oaths to be taken by brokers and exchange dealers.

The committee on Finance were instructed to prepare and bring in the 1st, 7th, 10th and 13th; the committee on the Library the 2d; the committee on the Judiciary the 3d, 6th, 8th, 9th and 11th; the committee on Revised Statutes the 4th, 15th and 18th; the committee on Education the 12th and 17th; the committee on Banks the 14th; the committee on Religion the 16th; and Messrs. Silvertooth, King and Allen were appointed a committee to prepare and bring in the 5th.

And then the Senate adjourned. maly a site and method and the service and the

TUESDAY, JANUARY 15, 1856.

On motion of Mr. King . 3. A bill to deciare the flouth Empadetan

A message was received from the House of Representatives, announcing that they had passed bills from the Senate of the following titles, viz:

An act to amend an act, entitled, an act to authorize the town of Paducah to subscribe stock in certain railroads, approved January 7th, 1852, and an act, entitled, an act to authorize the county of McCracken to subscribe stock in certain railroads, approved January 7th, 1852.

An act to establish two additional terms of the McCracken Circuit

An act for the benefit of the Keeper of the Penitentiary.

With an amendment to the last named bill.

That they had concurred in the amendment proposed by the Senate to a bill from that House, entitled, an act prohibiting Magistrates from taxing attorney's fees.

That they had concurred in first amendment proposed by the Senate to a bill from that House, entitled, an act to amend an act, entitled, an act to incorporate the Peach Orchard Coal Company, and disagreed to the second.

That they had passed bills of the following titles, viz:

An act to provide that a married woman may transact business in her own name.

An act for the benefit of Johnson A. Dawson.

Mr. Smith presented the petition of sundry citizens of the town of Georgetown, praying an amendment to their town charter.

Which was received, the reading dispensed with, and referred to a select committee committee consisting of Messrs. Smith, Wadsworth and Cavan.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they were referred, viz.

By Mr. Buckner, from the committee on the Judiciary-

An act to incorporate Allen Lodge Masonic Female College.

By same-

An act to repeal the act incorporating the town of Jackson.

By same-

An act for the benefit of Joshua Oaks. A bill for the benefit of Hen

By Mr. Silvertooth, from the same committee-

An act to amend an act to incorporate the town of Mayfield, Graves county.

By Mr. Ripley, from the same committee-

An act for the benefit of James Taylor, of Hardinsburg.

By same-

An act to legitimatize the illegitimate children of Samuel B. Haddix.

By Mr. Conklin, from the committee on Propositions and Grievances-An act to establish the county of Rowan.

By Mr. Kohlhass, from the committee on Internal Improvement-An act to incorporate the Owensboro and Wolf Hill Railroad Com-

By Mr. Barlow, from the committee on Finance-

An act for the benefit of William Hanna, of Bracken county.

By same-

An act for the benefit of Dixon C. Murphy, of Barren county.

By Mr. Kohlhass, from the committee on Internal Improvement-

An act to amend the charter of the Louisville and Memphis Railroad Company.

With an amendment to the last named bill.

Which was concurred in.

Ordered, That said bills, the last as amended, be read a third time. The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported from the several committees appointed to prepare and bring in the same : vall and to William and

By Mr. Buckner, from the committee on the Judiciary-

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A bill to amend the charter of Bacon College.

By same-

A bill for the benefit of James B. Wilder, guardian of Marinda B. Wilder.

By Mr. Silvertooth, from the same committee-

A bill to amend the road laws of this commonwealth.

By Mr. Ripley, from the same committee-

A bill to amend the charter of the Greenville Institute.

By Mr. Kohlhass, from the committee on Internal Improvement-A bill incorporating the Hustonville and McKinney Station Turnpike Road Company.

By same-

A bill for the benefit of Reuben Smith, of Barren county.

By Mr. Barlow, from the committee on Finance-

A bill for the benefit of Jacob Rice, late Sheriff of Carter county.

A bill requiring County Judges to make settlement with the trustee of the jury fund for all taxes and public moneys in their hands.

By Mr. Smith, from a select committee-

A bill to amend the charter of the town of Georgetown.

Which were read the first time, and ordered to be read a second

The constitutional provision as to the second and third readings of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Buckner, from the committee on the Judiciary, reported a bill for the benefit of Philip B. Thompson.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill and it was decided in the affirmative.

The yeas and nays being taken thereon, in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were-

John S. Barlow, Robert Blain, James F. Buckner, Jesse W. Burton, John A. Cavan, Nathaniel W. Collins, David Irvine, William L. Conklin, John Q. A. King,

Sylvester Harris, Wiley S. Hay, James D. Headley, Overton P. Hogan, Samuel Howard,

Charles Ripley, George W. Silvertooth, D. Howard Smith, James Sudduth, W. H. Wadsworth, C. J. Walton, D. K. Weis,

George T. Edwards. William C. Gillis, William T. Haggin, James D. Hardin,

Theodore Kohlhass, John P. Martin, Daniel Matthewson, John S. McFarland,

John Williams, Tucker Woodson, George Wright-32.

Those who voted in the negative, were-none.

Resolved, That the title of said bill be as aforesaid.

Mr. Buckner, from the same committee, to whom was referred a bill to amend the law in relation to stud and jack licenses, reported the same with an expression of opinion that it ought not to pass.

Said bill reads as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the passage of this act all persons who shall stand a stud or jack, not charging for the service of the same, by the season or insurance, but farm the use of the mares served by stud or jack, and purchase the produce thereof, shall obtain a license, as now required by law in other cases, and pay the price of five dollars for the

Sec. 2. Be it further enacted, That all laws requiring that licenses granted to the owners of studs, jacks and bulls by the clerks of county courts shall have their seal of office affixed thereto, be and the same is hereby repealed.

Mr. Wadsworth moved to amend said bill by striking out the 2d sec-

And the question being taken on tee adoption of the amendment, it was decided in the negative.

The question was then taken on ordering the bill to be engrossed and read a third time.

And the question being taken thereon, it was decided in the nega-

The yeas and nays being required thereon by Messrs. Irvine and Harris, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain, Jesse W. Burton, William L. Conklin, Samuel Howard, George T. Edwards, William C. Gillis,

William T. Haggin, Sylvester Harris, David Irvine, John Q. A. King,

Theodore Kohlhass, John S. McFarland, D. Howard Smith, Tucker Woodson, George Wright-15.

Those who voted in the negative, were-

Charles H. Allen, John S. Barlow, James F. Buckner, Overton P. Hogan, John A. Cavan, Nathaniel W. Collins, John P. Martin, T. W. W. DeCourcey, Daniel Matthewson, James D. Hardin, Charles Ripley,

Wiley S. Hay, James D. Headley, William Howell,

George W. Silvertooth, James Sudduth, W. H. Wadsworth, C. J. Walton, D. K. Weis, John Williams-20.

So the said bill was rejected.

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Mr. Buckner, from the same committee, reported a bill to regulate the fees of Commonwealth's Attorneys.

Which was read the first time and ordered to be read a second time.

The constitutional provision, as to the second reading of said bill being dispensed with,

Ordered, That said bill be re-committed to the committee on the

The Speaker laid before the Senate, the settlement of the Treasurer of the Eastern Lunatic Asylum, for the years 1854 and 1855, which is follows, viz:

Auditor's Office, Ky., Franfort, January 15, 1856.

Hon. James G. Hardy, Speaker of the Senate:
Sir: Enclosed I send you settlement of the Treasurer of the Eastern Lunatic Asylum, at Lexington, for the years 1854 and 1855.

Respectfully,
THO. S. PAGE, Auditor.

[For settlement—see Legislative Documents.]

Ordered, That the Public Printer print 150 copies thereof for the use of the Senate.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up, and read as follws, viz:

EXECUTIVE DEPARTMENT, January 15, 1856.

Gentlemen of the Senate:

I nominate, for your advice and consent, B. B. Shultz to be Police Judge of the town of Owingsville.

C. S. MOREHEAD.

Resolved, That the Senate advise and consent to said appointment.

Mr. Silvertooth, from the committee on the Judiciary to whom was referred a bill from the House of Representatives, entitled, an act to amend an act, entitled, an act to amend and reduce into one, the several acts relating to the town of Princeton, reported the same without amendment.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That so much of the act, entitled, an act to amend and reduce into one the several acts relating to the town of Princeton, approved March 8, 1854, as vests in the trustees of said town of Princeton, in Caldwell county, power and authority to grant license to taverns and houses of entertainment, be and the same is hereby repealed.

§ 2. That from and after the passage of this act the provisions of chapter ninety-nine of the Revised Statutes, shall apply to and govern in relation to taverns and granting tavern license and houses of entertainment, in said town of Princeton.

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§ 3. That from and after the passage of this act the trustees of said town of Princeton shall have power and authority to grant coffee house license and to tax the same in a sum of not less than twenty-five nor more than one hundred dollars; and it shall be the duty of the said trustees, as soon after the passage of this act as may be, and annually thereafter upon the first day of January, to fix the amount of tax as aforesaid by an order upon the minutes of the board of trustees, which shall not be altered or changed for the ensuing year; and upon the presentation and payment of the tax by any person or persons to the chairman or secretary of the board of trustees, it shall be their duty to issue to such person or persons a license to keep a coffee house for one year, which license shall be in writing, signed by the chairman and countersigned by the secretary of such board. Provided, however, That upon the granting of a license to keep a coffee house, the applicant or applicants shall take an oath before some officer authorized to administer oaths that he will not during the period his license remains in force, sell or give, or cause to be sold or given to any slave of which he is not the owner and possessor, or which is not in his employ by contract with the person having the rightful authority to hire the slave, any wine, brandy, whisky, or any other spirituous liquors, or a mixture thereof without an order in writing from the owner or other person having authority over said slave for the time being; and for a violation thereof the offender shall be subject to all the penalties prescribed by

§ 4. That all acts or parts of acts incunsistent with the foregoing be and the same are hereby repealed.

§ 5. This act shall take effect from its passage.

Mr. Wadsworth moved to amend said bill by adding to the 3d section the following proviso:

Provided, That the trustees of said town shall not grant any license under the provisions of this act, until the applicant for such license produces to them the petition of a majority of the legal voters of said town.

Mr. Walton moved to lay said bill and amendment on the table.

And the question being taken thereon it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Walton and Headley, were as follows, viz:

Those who voted in the affirmative, were-

T. W. W. DeCourcey, Charles Ripley, John S. Barlow. Robert Blain, William C. Gillis, D. Howard Smith, Jesse W. Burton. William T. Haggin, James Sudduth, Overton P. Hogan, John A. Cavan, W. H. Wadsworth, Nathaniel W. Collins, Samuel Howard, John Williams, William L. Conklin, David Irvine, Tucker Woodson-18.

Those who voted in the negative, were-

Charles H. Allen,
James F. Buckner,
George T. Edwards,

William Howell,
John Q. A. King,
Theodore Kohlhass,
Theodore Kohlhass,
C. J. Walton,

James D. Hardin, Daniel Matthewson, D. K. Weis, Wiley S. Hay, John S. McFarland, George Wright—13.

James D. Hardin, Daniel Matthewson, George Wright—13.

Mr. Silvertooth, from the same committee, asked to be discharged from the further consideration of a leave to them referred to bring in a bill to incorporate the Bourbon Female Institute.

Which was granted.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act to amend section nine hundred of the Code of Practice in civil cases.

An act to facilitate the trial of equity causes.

An act to establish an additional voting place in Hay's district in Hickman county.

Mr. Conklin, from the committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled, act for the benefit of Nathan W. Curry, reported the same without amendment.

And the question being taken on ordering said hill to be read a third time, it was decided in the negative.

So the said bill was disagreed to.

Mr. Barlow, from the committee on Finance, reported a bill for the benefit of William Winston, Jr., of McCracken county.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill be ing dispensed with,

Said bill was amended.

And the question being taken on ordering said bill to be engrossed and read a third time, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Hogan and Martin, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain, William T. Haggin. James F. Buckner. Wiley S. Hay, Jesse W. Burton, David Irvine, John A. Cavan, John Q. A. King, Nathaniel W. Collins, Theodore Kohlhass, William L. Conklin, Daniel Matthewson, T. W. W. DeCourcey, John S. McFarland, George T. Edwards. Charles Ripley, William C. Gillis,

George W. Silvertooth, Shelby Stone, James Sudduth, W. H. Wadsworth, C. J. Walton, D. K. Weis, Tucker Woodson, George Wright—25. of

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Those who voted in the negative, were-

Charles H. Allen,
John S. Barlow,
James D. Hardin,
James D. Headley,

Overton P. Hogan,
Samuel Howard,
William Howell,
John Williams—10.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Barlow, from the same cemmittee, reported a bill for the benefit of the Kentucky Institution for the education of the Deaf and Dumb.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill was dispensed with, pending the consideration of which bill

The Senate adjourned.

WEDNESDAY, JANUARY 16, 1856.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate entitled,

An act to amend the law in relation to executors, administrators and curators.

That they had passed a bill entitled, an act to amend the charter of the Louisville and Nashville Railroad Company.

That they had received official information from the Governor that he had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the North Kentucky Agricultural Society.

An act to charter the Muldraugh's Hill and Green River Turnpike Road Company.

An act for the benefit of Charles Linn, Sen., of Calloway county.

An act to incorporate the Union Agricultural and Improvement Association of Mason and Bracken counties.

An act to legalize the proceedings of the February term, 1852, of the Casey County Court.

An act for the benefit of W. B. A. Baker, late Sheriff of Mason county.

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An act to amend an act, entitled, an act to improve the road from Hall's Gap to Somerset.

An act to change the route of the Wilderness Turnpike Road. An act to legalize the subscription of the Woodford County Court to the Versailles and Munday's Landing Turnpike Road.

An act for the benefit of Elizabeth Rucker. Approved Jan. 14, 1856.

1. Mr. Howell presented the petition of sundry citizens of the counties of Washington, Nelson and Anderson, praying for the formation of a new county out of parts of said counties.

2. Mr. Kohlhass presented the petition of the President and Directors of the Winchester and Lexington Turnpike Road, praying an amendment to their charter.

3. Mr. Hogan presented the petition of sundry citizens of the county of Grant, praying the passage of an act incorporating Dew Drop Division of the Sons of Temperance.

4. Mr. McFarland presented the petition of Jonathan Vancleave, praying the passage of an act authorizing the Auditor to pay certain moneys due school district No. 75, in Daviess county.

Which was received, the reading dispensed with and referred—the 1st to the committee on Propositions and Grievances; the 2d to the committee on Internal Improvement; the 3d to the committee on the Judiciary; and the 4th to the committee on Finance.

The Senate resumed the consideration of a bill for the benefit of the Kentucky Institution for the education of Deaf and Dumb.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill and it was decided in the affirmative.

The yeas and nays being taken thereon, in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain,	Wiley S. Hay,	John S. McFarland,
James F. Buckner,	James D. Headley,	D. Howard Smith,
William C. Bullock,	Overton P. Hogan,	Shelby Stone,
Jesse W. Burton,	Samuel Howard,	James Sudduth,
John A. Cavan,	William Howell,	W. H. Wadsworth,
William L. Conklin,	David Irvine,	C. J. Walton,
T. W. W. DeCourcey	, John Q. A. King,	D. K. Weis,
William C. Gillis,	Theodore Kohlhass,	John Williams,
William T. Haggin,	Daniel Matthewson,	Tucker Woodson-27.
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Those who voted in the negative, were-

Charles H. Allen,	Nathaniel W. Collins.	George W. Silvertooth,
John S. Barlow,	John P. Martin,	George Wright-6.

Resolved, That the title of said bill be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they were referred, without amendment:

By Mr. Barlow, from the committee on Finance-

An act for the benefit of John Moore, Jailer of Green county.

By Mr. McFarland, from the committee on Agriculture and Manufactures—

An act to incorporate the Green River Coal, Iron and Manufacturing Company.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported from the several committees appointed to prepare and bring in the same:

By Mr. Wadsworth, from the committee on Education—1. A bill to amend the charter of the Perryville Seminary.

By Mr. Sudduth, from the committee on Revised Statutes—2. A bill to amend the 10th section of the 13th chapter of the Revised Statutes.

By Mr. Weis, from a select committee—3. A bill to incorporate the town of Ashland.

By Mr. Silvertooth, from a select committee—4. A bill to incorporate the Hickman and Graves County Plank Road Company.

Which were read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st and 2d were ordered to be engrossed and read a third time; and the 3d and 4th were referred to the committee on the Judiciary.

The constitutional provision as to the third reading of the 1st and 2d of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. King, from the committee on Banks, reported a bill prohibiting the issue and circulation of bills or notes under five dollars.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That the Public Printer print 150 copies of said bill for the use of the General Assembly.

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Mr. Harris, from the committee on County Courts, to whom was referred a bill from the House of Representatives, entitled, an act repealing an act incorporating the town of Barboursville, reported the same without amendment.

Ordered, That said bill be referred to the committee on the Judiciary. The Senate took up for consideration, a bill to prevert fraudulent assignments in trust for creditors, and other fraudulent conveyances, with the pending amendments.

Ordered, That said bill and amendments be re-committed to the committee on the Judiciary.

Also, the amendments proposed by the House of Representatives to a bill from the Senate, entitled, an act for the benefit of the Keeper of the Penitentiary.

Mr. Weis moved the previous question.

The question was then taken, shall the main question be now put? And it was decided in the affirmative.

The main question was then put, will the Senate concur in the amendment? and it was decided in the negative.

And so the said amendment was disagreed to.

On motion of Mr. Conklin-

Ordered, That a message be sent to the House of Representatives, asking leave to withdraw the report of the Senate, annnouncing the passage of a bill from the House of Representatives, entitled, an act for the benefit of James Taylor, of Hardinsburg.

After a short time the messenger returned with said bill.

Mr. Conklin moved to reconsider the vote passing said bill.

Which was decided in the affirmative.

Also, the vote dispensing with, and ordering said bill to be read a third time.

Which was decided in the affirmative.

Said bill was then amended.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives of the following titles, were severally read the first time.

- 1. An act to provide that a married woman may transact business in her own name.
 - 2. An act for the benefit of Johnson A. Dawson.

3. An act to amend the charter of the Louisville and Nashville Railroad Company.

Ordered, That said bills be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st was referred to the committee on the Judiciary; the 2d to the committee on Finance; and the 3d was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

 Λ message was received from the Governor, by Mr. Bibb, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

EXECUTIVE DEPARTMENT, January 16, 1856.

Gentlemen of the Senate:

I nominate, for your advice and consent, the following persons to be Notaries Public, they having been appointed, since the last session of the General Assembly, by my predecessor:

Alfred King, for Cumberland county. S. A. Kingman, for Livingston county. John D. P. Leary, for Jefferson county. James R. Watson, for Franklin county. Phil. Tompert, for Jefferson county. Thos. M. Hite, for Nelson county.

John W. Stiffle, for Fayette county. Geo. S. Norris, for Fulton county. D. C. Sumrall, for Henderson county. John C. Wickliffe, for Nelson county. Leonidas V. Badger, for Jefferson county. Geo. D. Hinkle, for Jefferson county. H. H. Turner, for Montgomery county. Lewis Collins, for Mason county. Samuel P. Marshall, for Mason county. James M. Clarke, for Jefferson county. James Muir, for Jefferson county. John L. Barclay, for Fayette county. John G. Barrett, for Jefferson county. W. B. Hosea, for Jefferson county. John H. New, for Jefferson county. H. C. Pindell, for Jefferson county. G. B. Reed, for Mercer county. C. G. Wallace, for Kenton county. Thos. W. Andrews, for Jefferson county. W. P. Dorsey, for Jefferson county. Chas. Frank, for Jefferson county.

Thos. C. Woods, for Marion county.

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D. T. Monsarratt, for Jefferson county. Robt. F. Baird, for Jefferson county. Ignatius A. Spaulding, for Union county. John N. Jefferson, for Mason county. R. T. Baker, for Campbell county. Ben C. Wood, for Fayette county. Henry M. Rucker, for Bourbon county. C. H. Barclay, for Jefferson county. W. M. Thomas, for Logan county. G. J. Johnston, for Jefferson county. James Flanagan, for Clarke county. W. L. Breckinridge, for Jefferson county. J. W. Cardwell, for Mercer county. Hiram Smith, for Union county. Patrick Joyce, for Jefferson county. Wm. H. Brundage, for Jefferson county. Richard Taylor, for Franklin county. H. M. Rusk, for Greenup county. J. W. Muir, for Nelson county. Wm. McChesney, for Harrison county. Wm. W. Harney, for Jefferson county.

R. B. Taylor, for Franklin county.

I also nominate, for your advice and consent, the following persons to be Notaries Public for the following counties, viz:

John McNeal, for Shelby county.

James E. Stone, for Hancock county.

J. B. Jones, for Kenton county.

J. F. Fisk, for Kenton county.

Frank Tryon, for Jefferson county.

Robt. S. Glass, for Henderson county.

Grant Green, for Henderson county.

Alexander Hull, for Logan county.

C. S. MOREHEAD.

Resolved, That the Senate advise and consent to said appointments. On motion of Mr. DeCourcey—

Ordered, That a message be sent to the House of Representatives, asking leave to withdraw the report of the Senate, annnouncing their disagreement to the passage of a bill from that House, entitled, an act to amend an act, entitled, an act to amend and reduce into one the several acts relating to the town of Princeton.

After a short time the messenger returned with said bill.

Mr. Martin moved the following resolution, viz:

Resolved, That the committee on the Judiciary are hereby instructed to bring in bills for the following purposes:

1st. A bill to guarantee and secure to the free voters of this Commonwealth the uninterrupted exercise of their constitutional rights and privileges as such.

2d. A bill to punish offenders who carry, or use, the dangerous and

deadley weapons known as brass knuckles, slung shot, colts and others of a similar murderous character.

Which was adopted.

Mr. Stone read and laid on the table the following joint resolution. The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up and read as follows, viz:

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That they will proceed by joint vote of both Houses, on Friday, the 25th January inst., to elect a Public Printer and Librarian.

Which was adopted.

A message was received from the House of Representatives asking leave to withdraw the report of their disagreement to the 2d amendment proposed by the Senate to a bill from the House of Representatives, entitled, an act to amend an act, entitled, an act to incorporate the Peach Orchard Coal Company.

Which was granted.

Leave was given to bring in the following bills, viz:

On motion of Mr. DeCourcey—1. A bill to amend an act incorporating the Jamestown Turnpike Company. Approved March 1st, 1854.

On motion of Mr. Weis—2. A bill to incorporate the Ashland Female Seminary.

On motion of Mr. Cavan—3. A bill to regulate the duties of and to provide for the compensation of County Attorneys.

On motion of Mr. DeCourcey—4. A bill for the benefit of Ann White. On motion of Mr. King—5. A bill to establish the Planter's Bank of Kentucky.

The committee on Internal Improvement were directed to prepare and bring in the 1st; the committee on Education the 2d; the committee on County Courts the 3d; the committee on the Judiciary the 4th; and the committee on Banks the 5th.

And then the Senate adjourned.

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THURSDAY, JANUARY 17, 1856.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate of the following titles, viz:

An act to incorporate the Providence Mining, Manufacturing, and Shipping Company.

An act to incorporate the Washington Insurance Company of Louisville.

With an amendment to each of said bills.

That they had passed bills and adopted a resolution of the following titles, viz:

An act to incorporate McKee Lodge No. 35, I. O. O. F., at Versailles, Kentucky.

An act to amend chapter 42 of the Revised Statutes, title, gaming. An act to amend the law respecting tresspassers upon lands.

Resolution in relation to an examination of the Eastern and Western Lunatic Asylum.

Mr. DeCourcey presented the petition of Ann White, praying the passage of an act, conferring on her the right to certain property in the town of Newport.

Mr. Cavan presented the petition of Newton Craig, praying the passage of an act for his benefit.

Which were received, the reading dispensed with, and referred to the committee on the Judiciary.

Mr. Bullock, from the committee on the Judiciary, to whom were referred bills from the House of Representatives, reported the same without amendment, viz:

- 1. An act to amend the charter of the city of Smithland.
- 2. An act to amend the charter of the Protestant Episcopal Orphan Asylum, of the city of Louisville.
 - 3. An act for the benefit of Hiram Keath, of Pulaski county.

Ordered, That the 1st of said bills be re-committed to the committee on the Judiciary; and that the 2d and 3d be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Silvertooth, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

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An act to amend an act, entitled, an act to extend the duty of commissioners of tax, approved March 18, 1851, reported the same without amendment.

Said bill was amended.

Mr. Walton moved to lay said bill on the table.

And the question being taken thereon it was decided in the affirmative.

Mr. Kohlhass, from the committee on Internal Improvement, to whom was referred a bill to incorporate the Barren county and Mammoth Cave Plank Road Company, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Kohlhass, from the committee on Internal Improvement—1. A bill to incorporate the Stony Hill Turnpike Road Company.

By same—2. A bill to amend the act incorporating the Lexington and Winchester Turnpike Road Company.

By Mr. King, from the committee on Banks—3. A bill to establish the People's Bank of Kentucky.

By same-4. A bill to establish the Planters Bank of Kentucky.

By same-5. A bill to incorporate the Merchants Bank of Kentucky.

By same—6. A bill to incorporate the Merchants Deposit Bank of Danville.

By same—7. A bill to renew the charter of the Mechanics Bank of Louisville.

By same—8. A bill to amend an act incorporating the Savings Institution of Harrodsburg.

By Mr. Barlow—9. A bill for the benefit of Jonathan Vancleave and Matthew Murphy, trustees of school district No. 75, in Daviess county.

Which were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st, 2d and 9th were ordered to be engrossed and read a third time; the 3d, 4th, 5th, 6th, 7th and 8th were ordered to be printed; the 3d was made the special order of the day for the 25th inst., 11 o'clock, A. M.; the 4th was placed in the orders of the day; the 5th was made the special order of the day for the 26th inst., 11 o'clock, A. M.; the 6th for the 28th inst., 11 o'clock, A. M.; the 7th

for the 29th inst., 11 o'clock, A. M.; and the 8th for the 30th inst., 11 o'clock, A. M.

The constitutional provision as to the third reading of the 1st, 2d and 9th of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. King, from the committee on Banks, to whom was referred a bill to incorporate the Bank of Ashland, reported the same without amendment.

Ordered, That the Public Printer print 150 copies of said bill, and that it be made the special order of the day for the 24th inst., at 11 o'clock, A. M.

Mr. Bullock, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled, an act to amend an act incorporating the Frankfort, Georgetown and Paris Turnpike Road Company, reported the same without amendment.

Said bill was amended.

Ordered. That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Smith and Hogan, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen,
John S. Barlow,
James F. Buckner,
William C. Bullock,
John A. Cavan,
Nathaniel W. Collins
William L. Conklin,
T. W. W. DeCourcey
George T. Edwards.
William T. Haggin.

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James D. Hardin,
Wiley S. Hay,
James D. Headley,
Overton P. Hogan,
Samuel Howard,
William Howell,
Theodore Kohlhass,
John P. Martin,
Daniel Matthewson,
Charles Ripley,
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George W. Silvertooth, Shelby Stone, James Sudduth, W. H. Wadsworth, C. J. Walton, D. K. Weis, John Williams Tucker Woodson, George Wright—29.

Those who voted in the negative, were-

Robert Blain, Jesse W. Burton, William C. Gillis,

D. Howard Smith-4.

Resolved, That the title of said bill be as aforesaid.

Mr. Barlow, from the committee on Finance, reported a bill for the benefit of William S. Rand, late Commissioner of the State of Kentucky at the exhibition of the industry of all nations.

Which was read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts, be and he is hereby authorized to draw his warrant on the Treasurer of this State, in favor of William S. Rand, late Commissioner for the State of Kentucky to the exhibition of the industry of all nations, for the sum of two thousand dollars, payable out of any moneys in the Treasury not otherwise appropriated.

Ordered, That said bill be read a second time.

The constitutional provision as to the second reading of said bill was dispensed with.

Mr. Barlow moved to amend the bill by striking out the word two, when it occurs before the word thousand, and inserting in lieu thereof the word one.

And the question being taken on the adoption of the amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Barlow and Collins, were as follows, viz:

Those who voted in the affirmative, were-

John S. Barlow, Robert Blain. James F. Buckner, William C. Bullock, Wiley S. Hay, Nathaniel W. Collins, James D. Headley, William L. Conklin, Samuel Howard, George T. Edwards,

William C. Gillis, William T. Haggin, James D. Hardin, William Howell.

John P. Martin. Daniel Matthewson, John S. McFarland. George W. Silvertooth, Shelby Stone. C. J. Walton, John Williams-21.

Those who voted in the negative, were-

Jesse W. Burton, Sylvester Harris, Overton P. Hogan, David Irvine,

John Q. A. King, T. W. W. DeCourcey, Theodore Kohlhass, Charles Ripley, D. Howard Smith. James Sudduth,

W. H. Wadsworth. D. K. Weis. Tucker Woodson, George Wright-14.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being taken thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were-

John S. Barlow, Robert Blain. James F. Buckner, Sylvester Harris, William C. Bullock. Jesse W. Burton, Nathaniel W. Collins, Overton P. Hogan, William L. Conklin, T. W. W. DeCourcey, William Howell, George T. Edwards,

William C. Gillis. James D. Hardin. Wiley S. Hay, James D. Headley, Samuel Howard, David Irvine.

John Q. A. King, Theodore Kohlhass, John P. Martin, Daniel Matthewson, Charles Ripley, D. Howard Smith. W. H. Wadsworth, D. K. Weis, Tucker Woodson-27.

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Those who voted in the negative, were-

Charles H. Allen, George W. Silvertooth, C. J. Walton, William T. Haggin, John S. McFarland, James Sudduth, George Wright—9.

Resolved, That the title of said bill be as aforesaid.

Mr. Conklin, from the committee on Federal Relations, to whom were referred the resolutions offered by Mr. Barlow, on the — inst., in relation to the repeal of the Misssuri Compromise line, reported the same with an amendment as a substitute for said resolutions.

Ordered, That the Public Printer print 150 copies of said amendment, and that they be made the special order of the day for Thursday next.

On motion of Mr. Barlow, Mr. McFarland was added to the committee on Finance.

The Senate took up for consideration, a bill from the House of Representatives, entitled, an act to amend an act, entitled, an act to amend and reduce into one, the several acts relating to the town of Princeton.

Mr. DeCourcey moved a re-consideration of the vote by which the Senate, on the 15th inst., refused to order said bill to be read a third time.

And the question being taken on re-considering said vote, it was decided in the affirmative.

Mr. Wadsworth moved to amend said bill.

Ordered, That said bill and amendment be re-committed to the committee on the Judiciary.

Mr. Irvine, from the committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to change the time of holding the County Court of Oldham county.

An act to amend the charter of the Louisville and Nashville Railroad Company.

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Irvine reported that the committee had performed that duty.

Mr. McFarland moved the following resolution, viz:

Resolved, That the committee on County Courts be instructed to enquire into the expediency of increasing the fees of surveyors, proces-

sioners, chain carriers and markers, in processioning lands in this Commonwealth and report by bill or otherwise.

Which was adopted.

Mr. Howell, from the committee on Privileges and Elections, to whom was referred a bill from the House of Representatives, entitled, an act to change the place of voting in Bethesda precinct in Trigg county, reported the same with an amendment as a substitute for said bill.

Which was adopted.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended to read, an act to change the 32d chapter, 2d article, 3d section of the Revised Statutes.

Mr. Howell, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to repeal an act approved Feb. 18th, 1854, changing the boundary of Hazle Green district in Morgan county, reported the same with an expression of opinion that it ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So the said bill was disagreed to.

Also, a bill from the House of Representatives, entitled, an act to change the piace of voting in Radford's precinct in Calloway county, and in Hayne's district in Graves county, reported with the expression of opinion that it ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So the said bill was disagreed to.

Leave was given to bring in the following bills, viz:

On motion of Mr. Cavan—1. A bill relating to the late Keeper of the Penitentiary.

On motion of Mr. Sudduth—2. A bill in relation to the Bourbon Academy.

On motion of Mr. Hogan—3. A bill to incorporate the Kentucky State Agricultural Society, and to give encouragement to all the arts and sciences connected therewith.

On motion of same—4. A bill for the benefit of John W. Dejarnett, late Scriff of Grant county.

On motion of Mr. Matthewson-5. A bill for the benefit of N. H. Ryan, of Calloway county.

On motion of Mr. Conklin-6. A bill for the benefit of the proprietors of the Grayson Springs.

The committee on the Judiciary were directed to prepare and bring in the 1st and 6th; the committee on Education the 2d; the committee on Agriculture and Manufactures the 3d; and the committee on Finance the 4th and 5th.

And then the Senate adjourned.

FRIDAY, JANUARY 18, 1856.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

An act for the benefit of Joseph Yeager.

Aa act to amend the charter of the city of Covington.

An act to require lands to be listed for taxation in the counties in which they lie.

That they had received official information from the Governor that he had approved and signed enrolled bills originating in that House of the following titles, viz:

An act to change the time of holding the County Court of Oldham county.

An act to amend the charter of the Louisville and Nashville Railroad Company. Approved January 17, 1856.

1. Mr. Buckner presented the petition of Isaac Landes, praying the passage of a law exempting from taxation certain of his lands within the town of Hopkinsville.

2. Mr. Conklin presented the petition of C. D. Shean, praying the passage of a law to remunerate him for work done on the Louisville and Elizabethtown Turnpike Road.

3. Mr. Ripley presented the memorial of the Louisville Chamber of Commerce, and the Board of Underwriters of Louisville, in reference to the agencies of Foreign Insurance companies in said city.

4. Mr. Weis presented the petition of sundry citizens of Catlettsburg, praying the passage of a law incorporating said town. Also, the remonstrance of sundry citizens against the passage of said law.

Which petitions, memorials, and remonstrance were received, the reading dispensed with, and referred—the 1st and 4th to the committee on Propositions and Grievances; the 2d to the committee on Finance; and the 3d to the committee on the Judiciary.

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Mr. Bullock, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled, an act to amend the charter of the city of Smithland, reported the same with an amendment.

Which was concurred in.

Ordered, That said bill be read a third time, as amended.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Buckner, from the same committee, to whom were referred bills from the House of Representatives of the following titles, viz:

An act to render effectual the road law in Pendleton county.

An act to amend an act, entitled, an act to regulate the town of Falmouth, in Pendleton county.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bullock, from the same committee, to whom were referred bills of the following titles viz:

A bill to incorporate the town of Ashland.

A bill to incorporate the Hickman and Graves County Plank Road Company.

Reported the same without amendment.

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Woodson, from the committee on the Penitentiary, reported a bill to provide for the extension of the area of the Penitentiary, and to build a new cell house and hospital.

Which was read the first time and ordered to be read a second time. The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be placed in the orders of the day, and that the Public Printer print 150 copies thereof for the use of the General Assembly.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Ripley, from the committee on the Judiciary-1. A bill to amend the laws limiting the time of commencing certain actions.

By same-2. A bill authorizing the Surveyor's books of Wayne county to be transcribed.

By same-3. A bill for the benefit of Ann White.

By Mr. Kohlhass, from the committee on Internal Improvement-4. A bill to amend an act incorporating the Jamestown Turnpike Company, approved March 1st, 1854.

By same-5. A bill to amend the charter of the Covington and Lexington, and Lexington and Danville Railroad Companies.

By Mr. Barlow, from the committee on Finance-6. A bill for the benefit of the Sheriff of Bath county.

Which were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of the 1st bill being dispensed with, it was placed in the orders of the day.

The constitutional provision as to the second and third readings of the 2d, 3d, 4th, 5th and 6th bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Barlow, from the committee on Finance, to whom was referred a bill from the Honse of Representatives, entitled, an act for the benefit of Johnson A. Dawson, late Sheriff of Powell county, reported the same without amendment.

Ordered. That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said said bill do pass, and that the title thereof be as aforesaid.

Mr. Barlow, from the committee on Finance, reported a bill for the benefit of John P. Campbell, Samuel Shryock and James F. Buckner, late building commissioners of the Western Lunatic Asylum.

Which was read the first time, and ordered to be read a second time. The constitutional provision, as to the second and third readings of said bill being dispensed with, and the same being engrossed,

The question was taken on the passage thereof and decided in the affirmative.

The yeas and nays being taken thereon, as required by the Constitution, were as follows, viz:

Those who voted in the affirmative, were-

John S. Barlow, Robert Blain. William C. Bullock, James D. Hardin, Sylvester Harris,

John S. McFarland, Charles Ripley, Wiley S. Hay, George W. Silvertooth,

Jesse W. Burton, John A. Cavan, William L. Conklin, William Howell, T. W. W. DeCourcey, David Irvine, George T. Edwards, William C. Gillis, William T. Haggin,

James D. Headley, Samuel Howard, John Q. A. King, Theodore Kohlhass, Daniel Matthewson,

Shelby Stone, James Sudduth, W. H. Wadsworth. C. J. Walton, D. K. Weis, Tucker Woodson George Wright-30.

Those who voted in the negative, were-none.

Resolved, That the title of said bill be as aforesaid. Leave was given to bring in the following bills, viz:

On motion of Mr. Bullock-1. A bill authorizing the Shelby County Court to sell the poor house grounds of said county.

On motion of Mr. Hay-2. A bill to incorporate the Muhlenburg Mining and Manufacturing Company.

On motion of Mr. DeCourcey-3. A bill to regulate the agencies of Insurance Companies not incorporated by the State of Kentucky.

On motion of Mr. Weis-4. A bill to incorporate the Neptune Fire Company in Ashland.

On motion of same-5. A bill to incorporate the Ashland Cemetery Company.

Ou motion of Mr. Haggin-6. A bill to incorporate the Jefferson Female Academy.

On motion of Mr. Irvine-7. A bill to amend the charter of the Richmond and Lexington Turnpike Company.

On motion of Mr. Buckner-8. A bill to incorporate the Buena Vista Springs Company.

On motion of same-9. A bill to incorporate the South Kentucky Grand Division of the Sons of Temperance.

On motion of Mr. Allen-10. A bill for the benefit of the Methodist Church in Newcastle.

On motion of Mr. Stone-11. A bill to incorporate the Burksville and Columbia Turnpike Company.

The committee on County Courts was directed to prepare and bring in the 1st; the committee on Agriculture and Manufactures the 2d; the committee on the Judiciary the 3d, 4th, 5th, 8th, 9th and 11th; the committee on Education the 6th; the committee on Internal Improvement the 7th; and Messrs. Allen, Martin and Silvertooth the 10th.

The amendments proposed by the House of Representatives to a bill from the Senate, entitled, an act to incorporate the Providence Mining, Manufacturing and Shipping Company, were taken up.

Ordered, That said bill and amendments be re-committed to the committee on the Judiciary.

The amendments proposed by the House of Representatives to a bill

from the Senate, entitled, an act to incorporate the Washington Insurance Company, of Louisville, were taken up and concurred in.

A message in writing was received from the Governor, by Mr. Bibb, Assistant Secretary of State, which is as follows:

EXECUTIVE DEPARTMENT, January 18, 1856.

Gentlemen of the Senate:

I nominate, for your advice and consent, Crawford H. Barclay to be Notary Public for Jefferson county, he having been appointed in vaca-

I also nominate, for your advice and consent,

William Muir, of Jefferson county, W. F. Barrett, for Jefferson county, P. B. Poindexter, of Jefferson county, Isaac Caldwell, of Jefferson county, Henry C. Wood, of Jefferson county, to be Notaries Public for said counties.

C. S. MOREHEAD.

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The rule of the Senate requiring nominations to lie one day on the table, being dispensed with.

Resolved, That the Senate advise and consent to said appointments. Bills from the House of Representatives of the following titles were severally read the first time, viz:

An act to incorporate McKee Lodge No. 35, I. O. O. F., at Versailles, Kentucky.

An act to amend chapter 42 of the Revised Statutes, title, gaming. An act to amend the law respecting tresspasses upon lands.

An act for the benefit of Joseph Yeager.

An act to amend the charter of the city of Covington.

An act to require lands to be listed for taxation in the counties in which they lie.

Ordered, That said bill be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 3d, 4th, 5th and 6th to the committee on the Judiciary; and the 2d to the committee on the Revised Statutes.

A resolution from the House of Representatives in relation to an examination of the Eastern and Western Lunatic Asylums, was taken up and read as follows, viz:

WHEREAS, The proper management of the Lunatic Asylums of Kentucky is a matter of very great importance to the people of this State; and in order to secure that public confidence so necessary to the effective good, and philanthropic purposes for which they have been erected -therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky,

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That His Excellency, the Governor of this Commonwealth, be requested and empowered to appoint, without delay, three competent and experienced physicians as a Board of Visitors for the Eastern and Western Lunatic Asylums, whose duty it shall be to visit, at as early a day as practicable, both Asylums, and investigate thoroughly the condition and management of each, and report the same to the present General Assembly.

Resolved, That the members of said Board of Visitors shall be entitled to a compensation of five dollars per day, and their expenses,

while engaged in the duties hereinbefore prescribed.

And the question being taken on concurring in said resolution, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Barlow and Collins, were as follows, viz:

Those who voted in the affirmative, were-James F. Buckner-1.

Those who voted in the negative, were-

Charles H. Allen. John S. Barlow, Robert Blain, William C. Bullock, Wiley S. Hay, Jesse W. Burton, John A. Cavan, Nathaniel W. Collins, David Irvine. William L. Conklin, John Q. A. King, D. K. Weis, T. W. W. DeCourcey, Theodore Kohlhass, Tucker Woodson, George T. Edwards, William C. Gillis,

William T. Haggin, Sylvester Harris, D. Howard Smith, James D. Headley, James Sudduth, Samuel Howard, W. n. w. C. J. Walton, John P. Martin, Daniel Matthewson,

John S. McFarland, James D. Hardin, George W. Silvertooth, Shelby Stone, W. H. Wadsworth, George Wright-32.

On motion of Mr. Weis, leave of absence was granted to Messrs. Hogan and Burton.

And then the Senate adjourned.

SATURDAY, JANUARY 19, 1856.

A message was received from the House of Representatives announcing that they had receded from the amendment proposed by that House, to a bill from the Senate, entitled,

An act for the benefit of the Keeper of the Penitentiary. That they had disagreed to a bill from the Senate, entitled,

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An act to amend the charter of the town of Georgetown.

That they had concurred in the amendments proposed by the Senate to bills from that House of the following titles, viz:

An act to change the place of voting in Bethesda precinct in Triggicounty.

An act to amend the charter of the Louisville and Memphis Railroad Company.

An act for the benefit of James Taylor, of Hardinsburg.

An act to amend an act incorporating the Frankfort, Georgetown and Paris Turnpike Road Company.

An act to amend the charter of the city of Smithland.

That they had passed bills and concurred in a resolution from the Senate, of the following titles, viz:

An act for the benefit of Thomas Landrum, late sheriff of Daviess county.

An act for the benefit of William B. White.

An act to legalize the subscription of the Garrard County Court to the Danville, Dix river, and Lancaster turnpike road.

An act to amend the 6th section of an act incorporating the Danville, Dix river, and Lancaster Turnpike road Company.

An act for the benefit of the Shelbyville and Louisville Turnpike road Company.

An act for the benefit of Ambrose O'Bannon.

An act to amend the charter of Bacon College.

An act to amend the charter of the Greenville Institute.

An act for the benefit of Reuben Smith, of Barren county.

Resolution in relation to the election of Public Printer.

That they had passed bills of the following titles, viz:

1. An act to incorporate the Copeley Cemetery Company of Bowlinggreen.

2. An act for the benefit of James S. Coleman, late Sheriff of Ohio

3. An act to incorporate certain Turnpike Road Companies.

4. An act for the benefit of Robert P. Pepper, of Woodford county.

5. An act to provide a police system for part of Kenton county.

6 An act to amend the charter of the Covington Fire, Life and Marine Insurance Company.

7. An act for the benefit of John Friend, late Sheriff of Floyd

8. An act for the benefit of Elisha Breeding, late Sheriff of Letcher county.

9. An act for the benefit of L. B. Wilson, late Sheriff of Carroll county.

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10. An act for the benefit of the sureties of Berry Scruggs, late Sheriff of Washington county.

11. An act to incorporate the Richmond and Big Hill Turnpike Road Company.

12. An act to amend an act, entitled, an act to incorporate the Hustonville, Liberty and Columbia Turnpike Road Company.

13. An act to authorize the Louisville and Nashville Railroad Company, to sell their bonds for certain purposes.

14. An act to incorporate the Wolf Hill Coal and Mining Company.

Which were read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of the first thirteen of said bills being dispensed with, they were referred—the 1st, 4th, 5th, 6th and 13th to the committee on the Judiciary; the 2d, 7th, 8th, 9th and 10th to the committee on Finance: the 3d, 11th and 12th to the committee on Internal Improvement; and the 14th was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as a foresaid.

Mr. Bullock, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled, an act to amend an act, entitled, an act to amend and reduce into one, the several acts relating to the town of Princeton, reported the same with an amendment.

Which was concurred in.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Silvertooth, from the same committee, to whom was referred a bill for the protection of the owners of slaves, reported the same with an amendment.

Mr. Hardin moved an amendment as a substitute for said bill and amendment.

Mr. Stone moved to lay said bill and amendments on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Stone and Silvertooth, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain, William Howell, Shelby Stone,
Nathaniel W. Collins, John S. McFarland, George Wright—8.
Wiley S. Hay, George W. Silvertooth,

Those who voted in the negative, were-

James D. Hardin, Daniel Matthewson, John S. Barlow. Sylvester Harris, D. Howard Smith, James F. Buckner, James D. Headley. James Sudduth, William C. Bullock, W. H. Wadsworth, Samuel Howard. William L. Conklin, T. W. W. DeCourcey, David Irvine, C. J. Walton, D. K. Weis, George T. Edwards, John Q. A. King, Theodore Kohlhass. Tucker Woodson-23. William C. Gillis, William T. Haggin, John P. Martin.

Ordered, That said bill and amendments be re-committed to the committee on the Judiciary.

The Speaker laid before the Senate the report of the Treasurer of the Western Lunatic Asylum, for 1854 and 1855, which is as follows, viz:

> Auditor's Office, Franfort, January 19, 1856.

HON. JAMES G. HARDY, Speaker of the Senate:

Sir: Enclosed I send you report of the Treasurer of the Western Kentucky Lunatic Asylum, for the years 1854 and 1855.

Respectfully, THO. S. PAGE, Auditor.

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[For Report—see Legislative Documents.]

Ordered, That the Public Printer print 150 copies of said report for the use of the General Assembly.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Silvertooth, from the committee on the Judiciary—1. A bill declaring the South Kentuckian an authorized newspaper.

By Mr. Buckner, from the same committee—2. A bill for the benefit of Constables.

By same-3. A bill to amend the charter of Danville.

By Mr. Smith, from the committee on Circuit Courts—4. A bill to establish Chancery and Criminal Courts in this Commonwealth.

By Mr. Kohlhass, from the committee on Internal Improvement—5. A bill to amend the charter of the Bardstown and Louisville Railroad Company.

By same—6. A bill to incorporate the Burksville and Columbia Turnpike Company.

By Mr. Wright, from the committee on Religion—7. A bill to incorporate the Ebenezer Baptist Church, in Muhlenburg county.

By Mr. Wadsworth, from the committee on Education—8. A bill in relation to the Bourbon Academy.

By same-9. A bill to incorporate the Ashland Female Academy.

By Mr. McFarland, from the committee on Agriculture and Manufactures—10. A bill to incorporate the Muhlenburg Mining and Manufacturing Company.

Which were read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st, 2d, 3d, 5th, 6th, 7th, 8th, 9th and 10th were ordered to be engrossed and read a third time; and the 4th was ordered to be printed, and placed in the orders of the day.

The constitutional provision as to the third reading of the 1st, 2d, 3d, 5th, 6th, 7th, 8th, 9th and 10th of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Wadsworth, from the committee on Education, to whom was referred the petition of William R. Hedges, praying the passage of an act for the benefit of Slaty Point School District, in Fleming county, asked to be discharged from the further consideration of said petition.

Which was granted.

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Mr. Irvine, from the committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Taylor County and Muldraugh's Hill Turnpike Road Company.

An act to repeal the act incorporating the town of Jackson.

An act to amend the charter of the Greensburg and Taylor County Turnpike Road Company.

An act prohibiting Magistrates from taxing attorney's fees. An act to amend the charter of the town of Hopkinsville.

An act for the benefit of E. J. Starr and his adopted daughter Laura.

An act for the benefit of Moseby Strattan, of Ballard county.

An act to legitimatize the illegitimate children of Samuel B. Haddix.

An act authorizing the Jessamine County Court to sell a portion of the poor-house land in said county.

An act to amend an act to incorporate the town of Mayfield, Graves county.

An act to regulate the time of holding the Carroll County Court.

An act to incorporate the Great Western Mining and Manufacturing Company.

An act to establish the county of Rowan.

An act to incorporate the Green River Coal, Iron and Manufacturing Company.

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Irvine reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Weis-1. A bill for the benefit of George W. Kouns, of Carter county.

On motion of Mr Wright—2. A bill for the benefit of Claypool School District, in Warren county.

On motion of Mr. Hay—3. A bill for the benefit of A. P. Baird, Judge of the Ohio County Court.

On motion of Mr. DeCourcey—4. A bill creating an additional voting precinct in Campbell county.

Ordered, That the committee on Finance be directed to prepare and bring in the 1st and 3d; the committee on Education the 2d; and the committee on Privileges and Elections the 4th.

And then the Senate adjourned.

MONDAY, JANUARY 21, 1856.

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A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

1. An act to change the place of voting in Leach's district in Bullitt county.

2. An act to incorporate the town of Manchester.

3. An act to amend an act, entitled, an act to incorporate the Flemingsburg and Poplar Plains Turnpike Road Company.

4. An act for the benefit of Mrs. Margaret Leavy.

5. An act to provide for appointing a gate-keeper and overseer on the Turnpike Road in Knox county.

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6. An act to transfer the title of certain lands to the trustees of Bethel High School at Russellville.

7. An act to authorize the trustees of Bethel High School to sell and convey lands.

8. An act for the benefit of the town of Salvisa.

Which were read the first time and ordered to be read a second time. The constitutional provision as to the 2d reading of said bills being dispensed with, the 1st was referred to the committee on Privileges and Elections; the 2d, 6th, 7th and 8th to the committee on the Judiciary; the 3d and 5th to the committee on Internal Improvement; and the 4th was ordered to be read time.

The constitutional provision as to the third reading of the 4th of said bills being dispensed with,

Resolved, That said said bill do pass, and that the title thereof be as aforesaid.

Mr. McFarland presented the petition of sundry citizens of the town of Owensboro, asking a repeal of the law creating the office of Police Judge, as also the law conferring certain powers on the trustees of said town.

Which was received, the reading dispensed with and referred to the committee on Propositions and Grievances.

Mr. Blain asked a re-consideration of the vote, by which the Senate on the 18th inst., passed a bill to amend the charter of the Covington and Lexington and Lexington and Danville Railroad Companies.

And the question being taken on re-considering said vote, it was decided in the affirmative.

Also, a re-consideration of the votes by which the third reading of said bill was dispensed with, and the ordering said bill to be read a third time.

Which was decided in the affirmative.

Ordered, That said bill be re-committed to the committee on Internal Improvement.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Bullock, from the committee on the Judiciary—1. A bill authorizing the sale of certain streets in Simpsonville.

By Mr. Stone, from the committee on the Court of Appeals—2. A bill to extend the terms of the Court of Appeals, and to increase the jurisdiction and salary of the Judges.

By Mr. Smith, from the committee on Circuit Courts—3. A bill to amend an act to establish a sinking fund for Bourbon county, and to provide for the appointment of commissioners thereof.

By Mr. Harris, from the committee on County Courts-4. A bill au-

thorizing the County Court of Shelby to sell the poor house and grounds of said county.

By same—5. A bill to authorize the County Court of Logan to sell or otherwise dispose of the old clerk's offices.

By Mr. Silvertooth, from the committee on the Judiciary—6. A bill to amend the law in relation to the importation of slaves.

Which were severally read the first time, and ordered to be read a second time.

The constitutional provision, as to the second reading of said bills being dispensed with, the 1st, 3d, 4th and 5th were ordered to be engrossed, and read a third time; the 2d was ordered to be printed and made the special order of the day for the 31st inst., at 11 o'clock, A. M.; and the 6th was referred to the committee on the Revised Statutes.

The constitutional provision as to the third reading of the 1st, 3d, 4th and 5th of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Stone, from the committee on the Court of Appeals, asked to be discharged from the further consideration of a leave to them referred to bring in a bill to regulate the time of filing records in appeal cases in the Appellate Court.

Which was granted.

Mr. Haggin, from the committee on the Codes of Practice, asked to be discharged from the further consideration of the following leaves—1st. to bring in a bill to repeal so much of the Code of Practice, as requires pleadings in ordinary to be sworn to. 2d. to bring in a bill to repeal so much of the 906th section of the Code of Practice as requires the reporter to make a short abstract of the facts of the case involved in the decision, followed by the legal propositions made by counsel in the argument on both sides, with the authority relied on for their support.

Which was granted.

Mr. Harris, from the committee on County Courts, to whom was referred a bill from the House of Representatives, entitled, an act repealing an act incorporating the town of Barboursville, reported the same with an amendment as a substitute for said bill.

Which was concurred in.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be aforesaid.

Mr. Conklin, from the committee on Circuit Courts, to whom was referred a bill to increase the jurisdiction of the Presiding Judge of the Bourbon County Court, reported the same without amendment.

Ordered, That said bill be referred to the committee on the Judiciary.

Mr. Harris, from the committee on County Courts, to whom was referred a bill from the House of Representatives, entitled, an act to change the time of holding the January term of the Fleming Quarterly Court, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration a bill prohibiting the issue and circulation of bills or notes under five dollars, which reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the various banks in this State shall not hereafter issue any note or bill, to circulate as money, under the denomination of five dollars. And a violation of this act shall be a good ground for the forfeiture of their charters.

§ 2. This act shall take effect from its passage.

Mr. Smith moved an amendment, exempting the Banks authorized by their charters to issue bills of a less denomination than five dollars.

Mr. DeCourcey moved to lay said bill and amendment on the table. And the question being taken thereon it was decided in the affirma-

The year and nays being required thereon, by Messrs. McFarland and Smith, were as follows, viz:

Those who voted in the affirmative, were-John S. Barlow, William T. Haggin. Theodore Kohlhass, Robert Blain, James D. Hardin, John S. McFarland, Nathaniel W. Collins, Sylvester Harris, Shelby Stone, William L. Conklin, Wiley S. Hay, James Sudduth, T. W. W. DeCourcey, Samuel Howard, W. H. Wadsworth, George T. Edwards. William Howell, George Wright-20. William C. Gillis, John Q. A. King,

Those who voted in the negative, were-

James F. Buckner, David Irvine, D. Howard Smith, William C. Bullock, John P. Martin, C. J. Walton. Daniel Matthewson, D. K. Weis, John A. Cavan, James D. Headley, George W. Silvertooth, Tucker Woodson—12.

Also, a bill to provide for the extension of the area of the Penitentiary, and to build a new cell-house and hospital.

Ordered, That said bill be engrossed and read a third time.

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The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being taken thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were-

THOSE WIND FOUND AND CONTROL OF WOLD			
	Robert Blain,	William T. Haggin,	John S. McFarland,
	James F. Buckner,	James D. Hardin,	D. Howard Smith,
	William C. Bullock,	Wiley S. Hay,	Shelby Stone,
	John A. Cavan,	James D. Headley,	James Sudduth,
	Nathaniel W. Collins,	Samuel Howard,	W. H. Wadsworth,
	T. W. W. DeCourcey,	William Howell,	D. K. Weis,
	George T. Edwards,	David Irvine,	Tucker Woodson-23.
	William C. Gillis,	Theodore Kohlhass,	

Those who voted in the negative, were-

John S. Barlow,	John Q. A. King,	George W. Silvertooth,
William L. Conklin,	John P. Martin,	C. J. Walton,
Sylvester Harris,	Daniel Matthewson,	George Wright—9.

Resolved, That the title of said bill be as aforesaid.

Also, a bill to establish the Planters' Bank of Kentucky.

Ordered, That said bill be made the special order of the day for Friday, 1st day of February, 11 o'clock, A. M.

Mr. Martin read and laid on the table the following joint resolution.

The rule of the Senate requiring joint resolutions to lie one day on the table, being dispensed with, said resolution was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That in all cases where any person or persons has, or have, or may hereafter have any claim or claims, except claims already provided for by law, against this Commonwealth, such person or persons shall, before any proposition for the allowance of said claim or claims is entertained by either the Senate or House of Representatives of the Commonwealth, or by any committee of the same, make out a written statement of such claim or claims; and of the items constituting the same, with his affidavit, taken before some person authorized to administer an oath, attached thereto, to the effect that each and every claim so presented is just; that the same, or so much thereof as has not been allowed by any previous appropriation, is justly due and unpaid; and that no part of said claim or claims has ever been settled or paid by any person or persons, or by any authority whatsoever.

Mr. King moved the following as an amendment to said resolution.

Provided, That this resolution shall not take effect until after the adjournment of the present Legislature.

Mr. DeCourcey moved the following as an amendment to the amendment proposed by Mr. King:

Provided, That the provisions of the resolution shall not apply to any claims now pending before the Legislature.

Ordered, That said resolution and amendments be referred to the committee on Finance.

Mr. King read and laid on the table, the following joint resolution. The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor of this Commonwealth be and he is hereby requested and directed to have the remains of Ex-Governor Thomas Metcalfe, deceased, removed from the county of Nicholas, and suitably and appropriately deposited and interred in the Frankfort Cemetery, as a token of the high estimation in which the State of Kentucky holds the memory of the many valuable and distinguished services rendered by him as a soldier in defense of his country, and for his brilliant civil services in the councils of this State and the Union.

Which was adopted.

Mr. King read and laid on the table the following joint resolution.

The rule of the Senate being dispensed with said resolution was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Public Printer is hereby directed to print all laws now in force, and which may be passed by the present Legislature, in relation to Common Schools, in pamphlet form, under the supervision of the Superintendent of Public Instruction; and that said Superintendent forward to the Common School Commissioners, a number of said pamphlets equal to the number of Common School Districts in each county.

Ordered, That said resolution be placed in the orders of the day.

Mr. Irvine, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate of the following titles, viz:

An act to amend an act, entitled, an act to authorize the town of Paducah to subscribe stock in certain railroads, approved January 7th, 1852, and an act, entitled, an act to authorize the county of McCracken to subscribe stock in certain railroads, approved January 7th, 1852.

An act for the benefit of the Shelbyville and Louisville Turnpike road Company.

An act to incorporate the Washington Insurance Company of Louisville.

An act to establish two additional terms of the McCracken Circuit Court.

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An act for the benefit of the sureties of Charles Quiry, late Sheriff of Jefferson county.

An act for the benefit of William B. White, late sheriff of Whitley county.

An act for the benefit of the Keeper of the Penitentiary.

An act to amend the charter of the Greenville Institute.

An act for the benefit of Reuben Smith, of Barren county.

An act to amend the charter of Bacon College.

An act to amend the 6th section of an act incorporating the Danville, Dix river, and Lancaster Turnpike Company.

An act to amend the law in relation to executors, administrators and curators.

An act for the benefit of Ambrose O'Bannon.

An act to legalize the subscription of the Garrard County Court to the Danville, Dix river, and Lancaster turnpike road.

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Irvine reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. DeCourcey-1. A bill for the benefit of Turn-pike Roads in Campbell county.

On motion of Mr. Barlow—2. A bill for the benefit of Henry Grinstead, Sr., of Hart county.

On motion of Mr. Collins-3. A bill for the benefit of the clerk of the Letcher Circuit Court.

On motion of same—4. A bill to reduce the number of trustees in the town of Hazzard.

On motion of Mr. Blain—5. A bill to amend the charter of the Parochial School of the Hanging Fork Presbyterian Church.

On motion of Mr. Buckner—6. A bill to amend the 9th section, article 1, chapter 47 of the Revised Statutes in reference to the solemnization of marriage.

On motion of Mr. Stone—7. A bill to regulate the docketing of cases in the Court of Appeals.

On motion of Mr. Howard—8. A bill to restore attorney's fees in Quarterly Courts.

On motion of Mr. Sudduth—9. A bill to change the time of holding the Court of Claims in Bath county.

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On motion of Mr. Haggin—10. A bill to provide for the more effectual collection of forfeited recognizances in criminal proceedings.

On motion of Mr. King—11. A bill to amend the 1st section of article 17, chapter 28 of the Revised Statutes, entitled, penal offenses and punishment.

On motion of Mr. Walton—12. A bill to establish the Common School month.

On motion of Mr. Wadsworth—13. A bill to amend the charter of the Maysville, Washington, Paris and Lexington Turnpike Road Company.

On motion of same—14. A bill to amend the act creating a sinking fund for the county of Mason.

On motion of Mr. Weis-15. A bill to change one of the places of voting in Scott's precinct in Greenup county.

On motion of Mr. Silvertooth—16. A bill for the benefit of the Columbus Masonic Seminary.

On motion of Mr. King-17. A bill to incorporate the Paducah and Blandville Turnpike, Gravel or Plank Road Company.

The committee on the Judiciary were directed to prepare and bring in the 1st, 6th, 13th, 14th and 17th; the committee on Finance the 2d; the committee on County Courts the 4th, 8th and 9th; the committee on Education the 5th; the committee on the Court of Appeals the 7th; the committee on Revised Statutes the 10th and 11th; the committee on Privileges and Elections the 15th; Messrs. Collins, Silvertooth and Martin were appointed a committee to prepare and bring in the 3d; Messrs. Walton, King and Matthewson the 12th; Messrs. Silvertooth, Hardin and Matthewson the 16th.

And then the Senate adjourned.

TUESDAY, JANUARY 22, 1856.

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A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

An act to amend the charter of the Louisville and Frankfort Railroad Company

An act declaring Wolf Creek, in Lawrence county, a navigable stream.

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An act to regulate the rates of tolls on the Wilderness Turnpike Road.

An act to charter the Springfield Agricultural and Mechanical Association.

An act to incorporate the Christian County Agricultural and Mechanical Association.

That they had received official information from the Governor that he had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Dixon C. Murphy, of Barren county.

An act for the benefit of William Hanna, of Bracken county.

An act to repeal the act incorporating the town of Jackson.

An act to amend the charter of the Greensburg and Taylor County Turnpike Road Company.

An act prohibiting Magistrates from taxing attorney's fees.

An act to amend the charter of the town of Hopkinsville.

An act to incorporate the Taylor County and Muldraugh's Hill Turnpike Road Company.

An act for the benefit of Moseby Strattan, of Ballard county.

An act to incorporate the Green River Coal, Iron and Manufacturing Company.

An act to incorporate the Great Western Mining and Manufacturing Company.

An act to incorporate the Owensboro and Wolf Hill Railroad Company.

An act to establish the county of Rowan.

An act to amend an act to incorporate the town of Mayfield, Graves county.

An act to amend an act, entitled, an act to amend an act to charter the Louisville and Nashville Railroad Company.

An act to legitimatize the illegitimate children of Samuel B. Haddix.

An act authorizing the Jessamine County Court to sell a portion of the poor-house land in said county.

An act to regulate the time of holding the Carroll County Court. Approved January 19, 1856.

Mr. DeCourcey presented the remonstrance of sundry citizens of the counties of Nelson, Washington and Anderson, remonstrating against the formation of a new county out of parts of said counties.

Which was received, the reading dispensed with, and referred to the committee on Propositions and Grievances.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they were referred:

By Mr. Bullock, from the committee on the Judiciary-1. An act to

amend the charter of the Covington Fire, Life and Marine Insurance Company.

By Mr. Buckner, from the same committee—2. An act to authorize the Louisville and Nashville Railroad Company to sell their bonds for certain purposes.

By same—3. An act to amend chapter 42 of the Revised Statutes, title, gaming.

By same-4. An act to incorporate Copeley Cemetery Company at Bowlinggreen.

By Mr. Silvertooth, from the same committee—5. An act to amend the charter of the city of Covington.

By Mr. Kohlhass, from the committee on Internal Improvement—6. An act to amend an act, entitled, an act to incorporate the Flemingsburg and Poplar Plains Turnpike Road Company.

By same—7. An act to incorporate certain Turnpike Road Companies.

By Mr. Weis, from the same committee—8. An act to incorporate the Richmond and Big Hill Turnpike Road Company.

By Mr. Kohlhass, from the same committee—9. An act to amend an act, entitled, an act to incorporate the Hustonville, Liberty and Columbia Turnpike Road Company.

By Mr. Barlow, from the committee on Finance—10. An act for the benefit of L. B. Wilson, late Sheriff of Carroll county.

By same—11. An act for the benefit of the sureties of Berry Scruggs, late Sheriff of Washington county.

By same—12. An act for the benefit of James S. Coleman, late Sheriff of Ohio county.

By same—13. An act for the benefit of John Friend, late Sheriff of Floyd county.

With amendments to the two last named bills.

Which were concurred in.

Ordered, That the 1st, 2d, 3d, 4th, 6th, 7th, 8th, 9th, 10th, 11th, 12th and 13th of said bills, the two last as amended, be read a third time; and that the 5th be placed in the orders of the day.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bullock, from the committee on the Judiciary, asked to be discharged from the further consideration of the petition of the Grand Jury of Muhlenburg county.

Which was granted.

Mr. Silvertooth, from the committee on the Judiciary, to whom was

referred a bill from the House of Representatives, entitled, an act to require lands to be listed for taxation in the counties in which they lie, reported the same without amendment.

Ordered, That said bill be read a third time.

The question was then taken on dispensing with the third reading of said bill, and it was decided in the negative.

Mr. Silvertooth, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to amend the law respecting trespassers on lands, reported the same without amendment

Mr. Walton moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative

The yeas and nays being required thereon by Messrs. Walton and Howard, were as follows, viz:

Those who voted in the affirmative, were-

John S. Barlow, William L. Conklin.	Wiley S. Hay, Samuel Howard,	John S. McFarland, C. J. Walton,
James D. Hardin,	John Q. A. King,	John Williams,
Sylvester Harris,	Daniel Matthewson,	Tucker Woodson—12.

Those who voted in the negative, were-

Robert Blain,	William C. Gillis,	Charles Ripley,
James F. Buckner,	William T. Haggin,	George W. Silvertooth,
William C. Bullock,	James D. Headley,	James Sudduth,
John A. Cavan,	William Howell.	W. H. Wadsworth,
Nathaniel W. Collins,	Theodore Kohlhass.	D. K. Weis,
T W W DeCourcey.		George Wright-18.

Said bill was then amended.

Ordered, That said bill be read a third time.

And the question being taken on dispensing with the third reading of said bill, it was decided in the negative.

Mr. Barlow, from the committee on Finance, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Elisha Breeding, late Sheriff of Letcher county, reported the same with an amendment.

Which was concurred in.

Said bill was further amended.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title be amended to read, an act for the benefit of Elisha Breeding, late Sheriff of Letcher county, and for the benefit of George H. Morrow, late Sheriff of McCracken county.

Mr. Barlow, from the committee on Finance, asked to be discharged from the further consideration of the petition of sundry citizens of Scott county, praying that B. F. and D. J. Offutt, may be compensated for the killing of a slave.

Also, from the memorial of R. J. Breckinridge, &c., in relation to the license laws.

Which was granted.

The Speaker laid before the Senate the report of the President of the Board of Internal Improvement:

Hon. James G. Hardy, Speaker of the Senate:

I herewith submit the annual report of the Board of Internal Improvement for the year ending the 10th of October, 1855, which you will do me honor to lay before the Senate.

D. R. HAGGARD, P. B. I. I.

JANUARY 22d, 1856.

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[For Report—see Legislative Documents.]

Ordered, That the Public Printer print 150 copies thereof for the use of the General Assembly.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Bullock, from the committee on the Judiciary—A bill to incorporate the Paducah and Blandville Turnpike Road Company.

By same—A bill to incorporate the Ashland Cemetery Company.

By same—A bill to incorporate the Neptune Fire Company of Ashland.

By Mr. Martin, from the same committee—A bill to create an additional voting precinct in Campbell county.

By Mr. Buckner, from the same committee—A bill to incorporate the Buena Vista Springs Company.

By Mr. Harris, from the committee on County Courts—A bill to reduce the number of trustees in the town of Hazzard, in Perry county.

By same—A bill to increase the fees of processioners.

By Mr. Barlow, from the committee on Finance—A bill for the benefit of Henry Grinstead, Sen., of Hart county.

By same—A bill for the benefit of N. H. Ryan, of Calloway county. Which were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State, announcing that he had approved and signed enenrolled bills which originated in the Senate, of the following titles,

An act for the benefit of Ambrose O'Bannon.

An act to amend the charter of the Greenville Institute.

An act for the benefit of Reuben Smith, of Barren county.

An act to amend the charter of Bacon College.

An act to amend an act, entitled, an act to authorize the town of Paducah to subscribe stock in certain railroads, approved January 7. 1852; and an act, entitled, an act to authorize the county of McCracken to subscribe stock in certain railroads, approved January 7, 1852.

An act for the benefit of Thomas Landrum, late sheriff of Daviess county. 21 14d5100 to 4001 and guides 120% and 100 aremayone

An act to amend the law in relation to executors, administrators, and curators.

An act to legalize the subscription of the Garrard County Court to the Danville, Dix River and Lancaster Turnpike Road.

An act for the benefit of the sureties of Charles Quirey, late sheriff of Jefferson county.

An act to establish two additional terms of the McCracken Circuit

An act to incorporate the Washington Insurance Company, of Louisville.

An act for the benefit of the Keeper of the Penitentiary.

An act for the benefit of William B. White, late Sheriff of Whitley county.

Mr. Barlow, from the committee on Finance, reported a bill for the benefit of the Judge of the Ohio County Court.

Which was read the first time, and ordered to be read a second

The constitutional provision as to the second and third readings of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being taken thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were-

John S. Barlow, Robert Blain, James F. Buckner, William C. Bullock, Samuel Howard, John A. Cavan, Nathaniel W. Collins, David Irvine, C. J. Walton, William L. Conklin, John Q. A. King, D. K. Weis,

Sylvester Harris, Wiley S. Hay, James D. Headley, William Howell.

Charles Ripley, George W. Silvertooth, D. Howard Smith, James Sudduth, W. H. Wadsworth,

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A in N Th T. W. W. DeCourcey, George T. Edwards, William T. Haggin, James D. Hardin,

Theodore Kohlhass, John P. Martin, Daniel Matthewson, John S. McFarland,

John Williams, Tucker Woodson, George Wright—32.

Those who voted in the negative, were-none.

Resolved, That the title of said bill be as aforesaid.

Mr. Bullock, from the committee on the Judiciary, to whom was referred a bill to incorporate the Providence Mining, Manufacturing and Shipping Company, with the amendment proposed by the House of Representatives, reported the same with the expression of opinion that said amendment should be concurred in.

And the question being taken thereon, it was decided in the affirmative.

Mr. McFarland, from the committee on Agriculture and Manufacufactures, to whom was referred a bill from the House of Representatives, entitled, an act better the standard weights of certain products, reported the same without amendment.

Ordered, That said bill be read a third time.

Mr. Blain moved a re-consideration of said vote, pending the consideration of which,

The Senate adjourned

WEDNESDAY, JANUARY 23, 1856.

A message was received from the House of Representatives, announcing that they had passed bills, and concurred in a resolution from the Senate, of the following titles, viz:

An act to incorporate the Daviess County Agricultural and Mechanical Association.

An act to authorize the County Court of McCracken county to change the Gray's ferry road.

An act to authorize the McCracken County Court to increase the county levy to build a Court House and Jail.

A Resolution in relation to the inspection of tobacco, pork, and flour, in New Orleans.

That they had passed bills of the following titles, viz:

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An act to amend the laws relating to the county levy of Kenton county.

An act to incorporate the Warren county Agricultural and Mechanical Association.

An act to incorporate the Southern Kentucky Fair Ground Associa-

An act to change the time of holding the Graves and Livingston County Courts.

An act to change the time of holding the Rockcastle Circuit Court.

An act to increase the jurisdiction of the Police Judge of Monterey, in Owen county.

An act to authorize the County Court of Spencer county to sell the poor house lands in said county.

An act to change the time of holding the Campbell Quarterly Courts.

An act to change the time of holding the Crittenden Quarterly Court.

An act to ratify the sale made by the Marion County Court of the poor house and farm.

An act to provide for increasing the county levy of Kenton county.

An act to amend an act authorizing the citizens of Brandenburg to elect a Police Judge and Marshal.

An act to give further power to the Jessamine County Court.

Mr. McFarland presented the remonstrance of sundry citizens of Owensboro, in Daviess county against abolishing the office of Police Judge and Town Marshal in said town.

Which was received, the reading dispensed with, and referred to the committee on Propositions and Grievances.

Leave was given to bring in the following bill, viz:

On motion of Mr. Bullock—1. A bill for the benefit of Michael G. and Michael S. Bright, and Joseph W. Chapman and James Meriwether.

On motion of Mr. Barlow—2. A bill to incorporate South Kentucky Fair Ground Association.

On motion of Mr. King—3. A bill for the benefit of the Constables in Franklin and Woodford counties, and the town Marshals of Versailles and Frankfort.

On motion of Mr. Sudduth—4. A bill for the benefit of the trustees of certain school districts.

Ordered, That the committee on Finance prepare and bring in the 1st; the committee on Internal Improvement the 2d; the committee on Revised Statutes the 3d; and the committee on Education the 4th.

And then the Senate adjourned.

THURSDAY, JANUARY 24, 1856.

1. Mr. McFarland presented the petition of sundry stockholders of the Henderson and Hibbardsville Plank Road Company, praying an amendment to their charter.

Also a remonstrance against the same.

2. Mr. DeCourcey presented the remonstrance of sundry citizens of Covington in relation to an imposition of tax, for lighting the streets with gas.

3. Mr. Sudduth presented the petition of sundry citizens of Bath county in relation to the assessor of tax.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Internal Improvement; the 2d to the committee on the Judiciary; and the 3d to the committee on Finance.

The Senate resumed the consideration of a bill from the House of Representatives, entitled, an act better to regulate the standard weights of certain products.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Cavan, from the committee on Revised Statutes, reported a bill to amend the law in relation to brokers.

Also, a bill to provide for the more effectual collection of forfeited recognizances in criminal proceedings.

Which were read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with.

Ordered, That the Public Printer print 150 copies of each of said bills, and that they be placed in the orders of the day.

Mr. Sudduth, from the same committee, asked to be discharged from the further consideration of a bill to amend the law in relation to the importation of slaves.

Which was granted.

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And then the Senate adjourned.

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FRIDAY, JANUARY 25, 1856.

1. Mr. Blain presented the petition of sundry citizens of Pulaski county, praying the incorporation of a coal and lumber company in said county.

2. Mr. Gillis presented the petition of William M. Smith, of Rock-castle county, in relation to the turnpike gate on the Crab Orchard fork of the Wilderness Turnpike.

3. Mr. Smith presented the remonstrance of sundry citizens of the town of Henderson and suburbs against the enlargement of the limits of said town.

4. Mr. Weis presented the remonstrance of sundry citizens of the town of Catlettsburg, against the incorporation of said town.

Which petitions and remonstrances were received, the reading dispensed with and referred—the 1st to the committee on Internal Improvement; and the 2d, 3d and 4th to the committee on Propositions and Grievances.

Mr. Irvine, from the committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate Allen Lodge Masonic Female College.

An act to amend the charter of the Protestant Episcopal Orphan Asylum, of the city of Louisville.

An act to amend an act, entitled, an act to regulate the town of Falmouth, in Pendleton county.

An act to incorporate the Wolf Hill Coal and Mining Company.

An act for the benefit of Hiram Keath, of Pulaski county.

An act to amend an act incorporating the Frankfort, Georgetown and Paris Turnpike Road Company.

An act to render effectual the road law in Pendleton county.

An act for the benefit of Johnson A. Dawson, late Sheriff of Powell county.

An act to change the time of holding the January term of the Fleming Quarterly Court.

An act for the benefit of Mrs. Margaret Leavy.

An act to amend the charter of the Louisville and Memphis Railroad Company.

An act to change the place of voting in Bethesda precinct in Trigg county.

An act to amend the charter of the city of Smithland.

An act for the benefit of John Moore, Jailer of Green county.

An act for the benefit of Joshua Oaks.

An act for the benefit of James Taylor, of Hardinsburg.

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Irvine reported that the committee had performed that duty.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Howell, from the committee on Revised Statutes—A bill to amend the 9th section, 11th article, chapter 35 Revised Statutes, entitled, crimes and punishments.

By Mr. Sudduth, from the same committee—A bill to amend the law in relation to crimes and punishments.

By Mr. Weis, from the committee on the Library—A bill to amend chapters 4 and 95 of Revised Statutes.

By Mr. Kohlhass, from the committee on Internal Improvement—A bill to amend an act, entitled, an act to incorporate the Franklin and Owen Turnpike Road Company.

By same—A bill to amend the charter of the Lexington and Richmond Turnpike Road Company.

By same—A bill to incorporate the South Kentucky Fair Ground Association.

By same—A bill to amend the charter of the Henderson and Hibbardsville Plank Road Company.

Which were read the first time, and ordered to be read a second time. The constitutional provision as to the second and third readings of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Cavan, from the committee on the Revised Statutes, reported a bill for the benefit of the Constables of Woodford and Franklin counties, and the Marshals of the city of Frankfort and the town of Versailles.

Which was read the first time, and ordered to be read a second time.

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The constitutional provision as to the second and third readings of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

So the said bill was rejected.

On motion of Mr. Wright, the vote rejecting said bill was reconsidered, and it was recommitted to the committee on Revised Statutes.

The Speaker laid before the Senate the biennial report of the State Librarian, which is as follows, viz:

> Office of State Librarian, Frankfort, January 25, 1856.

To Hon. James G. Hardy, Speaker of the Senate:

I have the honor to communicate to you the subjoined biennial report of this office.

J. C. HENSLEY, For E. HENSLEY.

[For Report -- see Legislative Documents.]

Leave was given to bring in the following bills, viz:

On motion of Mr. Barlow-1. A bill to incorporate the Barren county Railroad Company.

On motion of Mr. Edwards—2. A bill for the benefit of George R. Hines and T. D. Carson, of Butler county.

On motion of Mr. Ripley-3. A bill the better to define usury.

On motion of Mr. Wadsworth—4. A bill to establish and construct a new road in Lewis and Fleming counties.

The committee on the Finance was directed to prepare and bring in the 2d; the committee on the Judiciary the 3d and 4th; and Messrs. Barlow, Wright and Walton were directed to prepare and bring in the 1st.

Mr. Barlow moved to re-consider the vote by which the committee on Finance was discharged from the further consideration of Offutts' petition.

And the question being taken thereon it was decided in the affirmative.

Ordered, That said petition be re-committed to the committee on Finance.

Mr. Barlow, from the committee appointed to prepare and bring in the same, reported a bill to incorporate the Barren county Railroad Company.

Which was read the first time, and ordered to be read the second time.

The constitutional provision, as to the second reading having been dispensed with, it was referred to the committee on Internal Improvement.

Mr. Blain, from the committee on Propositions and Grievances, to whom was referred the petition of sundry citizens of Nelson, Washington and Anderson counties, praying the establishment of a new county out of parts of said counties, asked to be discharged from the further consideration of said petition, and after some discussion had thereon, the hour of 12 o'clock arrived, when the Senate proceeded to the orders of the day.

The Senate then took up for consideration the special order, a bill to incorporate the Bank of Ashland.

The said bill was then amended, and after further discussion had thereon,

A message was received from the House of Representatives, by Mr. Richardson, announcing that they were then ready to proceed to the election of public officers, in accordance with the joint resolution.

Ordered, That Messrs. Smith and King inform the House of Representatives that the Senate is also ready on their part to carry out said joint resolution.

Mr. Smith nominated Mr. A. G. Hodges for the office of Public Printer.

Mr. Hogan nominated Mr. J. L. Gibbons.

After interchanging nominations the Senate proceeded to take a vote, which stood thus:

Those who voted for Mr. Hodges, were-

Robert Blain,
James F. Buckner,
William C. Bullock,
Jesse W. Burton,
John A. Cavan,
Nathaniel W. Collins,
William L. Conklin,
George T. Edwards,
William C. Gillis,

William T. Haggin,
Wiley S. Hay,
Samuel Howard,
William Howell.
David Irvine,
John Q. A. King,
Theodore Kohlhass,
John S. McFarland,

Charles Ripley,
D. Howard Smith,
Shelby Stone,
James Sudduth,
W. H. Wadsworth,
John Williams
Tucker Woodson,
George Wright—25.

Those who voted for Mr. Gibbons, were-

John S. Barlow, T. W. W. DeCourcey, James D. Hardin, John P. Martin,

Daniel Matthewson, C. J. Walton, D. K. Weis—9.

Ordered, That Messrs. King and Smith be appointed a committee on the part of the Senate to act in conjunction with a similar committee on the part of the House of Representatives, to compare the joint vote and report the result.

After a short time the committee reported that the joint vote stood thus:

For Mr. A. G. Hodges,
For Mr. J. L. Gibbons,

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Whereupon Mr. A. G. Hodges, having received a majority of all the votes given, was declared duly elected Public Printer.

A message was received from the House of Representatives, by Mr. Bruce, announcing that they were ready to proceed to the election of a State Librarian.

Ordered, That Mr. Buckner inform the House of Representatives that the Senate was also ready to proceed with said election.

Whereupon, Mr. Buckner nominated Mr. John C. Hensley as a suitable person to fill the office of Librarian.

After interchanging nominations the Senate proceeded to take a vote, when it was unanimous for Mr. Hensley.

Messrs. Buckner and Bullock were appointed a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to compare the joint vote and report the result.

After a short time Mr. Buckner, from the committee, reported that Mr. Hensley had received the unanimous vote of both Houses of the General Assembly.

Whereupon he was declared duly elected State Librerian.
And then the Senate adjourned.

SATURDAY, JANUARY 26, 1856.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled, an act to authorize a married woman to convey real and other property, under power of attorney.

Mr. Smith moved the following resolution, viz:

Resolved, That Thomas J. Helm be requested to act as clerk of the Senate during the indisposition of the present clerk, Dr. J. Russell Hawkins.

Which was adopted.

Whereupon he took the oath required by the Constitution.

1. Mr. King presented the petition of sundry citizens of School District No. 14, in Livingston county, praying compensation for a school taught in said district, for the year 1854.

2. Mr. Headley presented a petition praying that the County Court of Union may have a called court of claims, on the 3d Monday in February next to levy an additional sum for the building of a jail.

3. Mr. Ripley presented the petition of W. G. Williams and Harriet T. his wife, praying that the title to certain real and personal estate be vested in her absolutely.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Education; the 2d to the committee on County Courts; and the 3d to the committee on the Judiciary.

Mr. Smith asked leave to withdraw the remonstrance of sundry citizens of the town of Henderson.

Which was granted, and the same was withdrawn.

The Senate again resumed the consideration of the report of the committee on Propositions and Grievances on the petition of sundry citizens of the counties of Nelson, Washington and Anderson, praying the formation of a new county, asking leave to be discharged from the further consideration thereof.

Mr. Smith moved to amend his motion by ordering said petition to be re-committed to said committee, with instructions to report thereon, according to its merits.

And after some discussion had thereon, the hour arrived for the consideration of the special order of the day.

The Senate again resumed the consideration of the bill to incorporate the Bank of Ashland.

Said bill was then further amended, and as amended, reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That there shall be and there is hereby created and established, at Ashland, in Greenup county, Kentucky, a bank, by the name of the Bank at Ashland, which shall continue in existence, from and after the passage of this act, until the first day of January, one thousand eight hundred and eighty-six.

§ 2. That the capital stock of said bank shall be four hundred thousand dollars, divided into shares of one hundred dollars each; but so soon as one hundred thousand dollars of said capital stock shall be subscribed, and fifty thousand dollars in gold and silver paid in, as hereinafter specified, it shall be lawful for said bank to commence operation under this charter.

§ 3. That Hugh Means, William T. Nichols, Lewis D. Ross, Kirk Valdemar, Hiram Ferguson, John N. Richardson, and Charles M. Wilson, or any three of them, be and they are hereby appointed commissioners to open books of subscription to the capital stock of said bank. Said books shall be opened by said commissioners in the town of Ashland, and at any other points they may deem necessary within this State, at such times as they may designate, of which at least three weeks notice shall be given in some newspaper printed in said county.

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or, if none be there published, then in some newspaper printed in the

city of Maysville. § 4. It shall be lawful for any individual, company, or body corporate, to subscribe for any number of shares of said capital stock; and such individual, company, or corporation, at the time of making such subscription, shall pay to said commissioners, for the use and benefit of said bank, the sum of five dollars on each share of said stock so subscribed.

§ 5. Said commissioners shall keep said books open for the subscription of stock for the period of one week, unless the whole capital, before that time, shall have been subscribed. At the expiration of said week, if the amount of one hundred thousand dollars of said capital shall not have been subscribed, it shall be lawful for said commissioners to designate one of their own number to take charge of said subscription books, and to attend to receiving additional subscription, until the amount of one hundred thousand dollars of said stock, at least, shall have been taken. If, at the end of three months from the time of opening such books, there shall not have been subscribed to the amount of one hundred thousand dollars of said stock, then, immediately after that period, it shall be the duty of said commissioners to abandon the subscription already made, and to refund to such parties as may have subscribed, the sums paid by them respectively on account of their said subscriptions. So soon, after the expiration of the first week above named, as the amount of one hundred thousand dollars, at least, of said capital stock shall have been subscribed, it shall be the duty of said commissioners to fix upon a day for the election of directors of said bank, of which three weeks notice, at least, shall be given in some newspaper printed in the county of Greenup, or if none be there printed, then in some newspaper printed in the city of Mays-

§ 6. Said subscribers and shareholders, their successors and assignees, shall be, and hereby are, created a body politic and corporate. by the name aforesaid, and by that name, under the restrictions hereinafter mentioned, shall be competent to contract and be contracted with, to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in all courts and places, and in all matters whatsoever, as natural persons, with full power to acquire, hold, possess and enjoy, and the same to sell, convey, and dispose of at pleasure, all such real estate, goods, effects, and chattels, as shall be convenient for the transaction of their business, or which may be conveyed to said bank, as security for any loan or debt, or purchase in satisfaction of any judgment or decree in favor of said bank, or in the purchase of any property on which said bank may have a lien. And said bank may have and use a common seal, and change, alter, and renew the same at pleasure; and it may ordain and put in execution such by-laws, rules, and regulations, for the government of said bank, and the prudent and efficient management of its affairs, as may be thought most proper: Provided, that they be not contrary to the constitution and laws of this State or of the United States, or of the provisions of this act.

§ 7. The business of said bank shall be to loan money, discount

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promissory notes and bills, and deal in exchange; and it may issue bills and bank notes, payable to bearer on demand, at either of its offices of discount and deposit—but of not less denomination than five dollars; and it shall not issue any notes, bills, checks, or orders to circulate as money, other than such as are payable on demand. The promissory notes, made payable to any other person or persons, and payable and negotiabte at the principal office of discount and deposit, or branch of said bank, or at any other bank, and indorsed to, and discounted by said bank, shall be, and they are hereby put on the same footing as foreign bills of exchange, and remedy may be had jointly or severally, against the drawers and indorsers, and with like effect, except as to damages, and except that in a regular course of administration they shall have no other or greater dignity or priority of pay-

ment than other notes. § 8. The real and personal estate, business, property, funds, and prudential concerns of said bank, and the administration of its affairs, shall be under the direction, management, and control of seven directors, all of whom shall be citizens of the United States and residents of the State of Kentucky, who, after the first election, shall be chosen annually on the first Monday in May. Each director shall be a stockholder, holding at least ten shares of stock in his own right. They shall hold their offices for one year, and until their successors shall be chosen-except the first directors, who shall hold their offices until the next regular annual election. The election shall be held at Ashland, and of the time and place of holding the election at least three weeks previous notice shall be given. The directors shall be chosen by the stockholders-each share of stock being entitled to one vote held in their own right up to fifty; and one vote for every five shares between fifty and one hundred; and one vote for every ten shares above one hundred; the election shall be by ballot, and shall be conducted under the direction of three stockholders, acting under oath, previously chosen or appointed by the directors, and who shall not be of their After the first election, no share shall entitle the holder to vote, unless the same has been held by him at least three months prior to that time, and so appears on the books of the bank. Any stockholder entitled to vote, may do so in person or by proxy-such proxy being granted to a person who is not a director or officer in said bank. If, from any cause, an election shall not take place on the day fixed by this charter, the corporation, for that cause, shall not be dissolved, but the stockholders may hold an election on any other day the by-laws shall direct. The stockholders, at an annual election, may, by a vote representing a majority of said stock, increase or diminish the number of directors, so as, however, that there shall be never more than eleven, nor less than five.

§ 9. The directors shall, as soon as may be after the first and every annual or other election of directors, elect a president from their own body, who shall preside at the board until the next election; but in case of the death, absence, resignation, or vacation of the office of president, the residue of the directors shall choose a president pro tempore. They shall fill all vacancies which may occur in their own body during the time for which they were chosen. They shall appoint a

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cashier, and such other clerks and agents as they may deem proper, fix their compensation, define their powers, and prescribe their duties and may require them to give such bonds, in such penalties, and with such securities, as they may deem right, for the faithful performance of their respective duties. And all such officers and employees shall hold their places during the pleasure of the board.

§ 10. The directors shall hold stated meetings at least once a week, on such days and such hours as they may from time to time appoint, and at such other times as they may agree on. All questions before the board shall be decided viva voce, and on the request of any member, the yeas and nays on any proposition or question shall be entered or recorded on the journal of their proceedings; and no vote shall be reconsidered when a less number are present than when the vote was given. The president may, whenever he deems it necessary, call a special meeting of said board, in which case each director, unless absent from home, shall have a special notice.

§ 11. The directors shall allow the president such reasonable compensation for his services as they may deem just and proper; but no compensation shall be allowed to any director, for services as such, unless the same be voted by the stockholders at some regular meeting.

§ 12. A journal of the proceedings of said board shall be regularly kept, which shall at all times be open to the inspection of any of the stockholders, and of any committee appointed by the Legislature. And the Legislature shall have the right, from time to time, to investigate the affairs of said bank, by any committee they may think proper to appoint for that purpose.

§ 13. All notes issued by said bank shall be signed by the president

and countersigned by the cashier thereof.

§ 14. The bank shall not at any time suspend or refuse payment in gold or silver of any of its notes, bills, or obligations due or payable, nor of any money received on deposit. And if said bank at any time shall refuse or neglect to pay any bill, note, or obligation issued by said bank, in gold or silver, when demanded within the usual hours, and at the proper place where the same is payable, according to the contract, promise, or undertaking therein expressed, or shall neglect or refuse to pay, on demand as aforesaid, any money received on deposit, to the person or persons entitled to receive the same, then, and in every such case, such bank shall be liable to pay damages at the rate of six per cent. per annum, besides interest at a like rate, on the amount thereof, from the time of such failure or refusal, or delay, until payment thereof; and for such failure or refusal, or for any violation of this charter, the same may be forfeited, and a scire facias may be sued out, in the name of the commonwealth, by the attorney general, by order of the Governor for the time being; and such proceeding may be had as to declare such forfeiture by the judgment of a court; and from and after the judgment of forfeiture, said corporation shall cease to exercise any of the powers and privileges hereby granted: Provided, Said forfeiture shall not be construed to prevent said bank from suing and being sued, and continuing its operations for the purpose of closing its concerns, nor from making any contract that may be convenient and proper for that purpose.

& 15. Said bank shall not, directly or indirectly, engage in any other business than banking, as herein authorized to be done; nor, shall said bank at any time owe, whether by bond, bill, note or other contract, an amount exceeding twice the amount of the capital stock actually paid in, exclusive of sums on deposit. And, in case of excess, the president and directors, under whose administration it shall have taken place, shall be liable for any or all of the debts of said bank, in their individual capacities, by a joint or several action against them, or any of them, their heirs, executors, or administrators, in any court having jurisdiction thereof, by any creditor or creditors of said bank; and may be prosecuted to judgment and execution, any condition or agreement to the contrary notwithstanding: Provided, that, if the President or any of the directors may be absent when the excess shall be contracted or created, or being present, shall dissent from the act by which the excess is about to be contracted or created, he or they shall not be liable, under this section, if he or they shall, within ten days from the creation of such excess, or discovery thereof, make affidavit of their absence or dissent, and file the same for record with the recording officer of said county, and, shall moreover, within ten days, give notice thereof in one public newspaper printed in this State, and transmit a copy thereof to the Governor for the time being, and shall in said notice call a meeting of the shareholders, which they are hereby authorized to do.

§ 16. A majority of the Directors shall at all times constitute a quorum for the transaction of business.

§ 17. No dividends of the profits of said bank, shall be declared until there shall be a surplus of ten thousand dollars, on every one hundred thousand dollars of capital paid in over and above the amount of the capital so paid; and the surplus or contingent fund so raised shall never be reduced below that sum. It shall be lawful for said bank to declare such dividends of the profits, over and above the contingent fund aforesaid, among the stockholders thereof, as they may deem prudent and advisable, payable on the first days of January and July of each year—of which dividends, and the time and place of payment, notice shall be given.

§ 18. If the cashier, clerk, teller, agent or any other officer of said bank, shall, without the authority of the directors of said bank, appropriate any of the funds of said corporation to his own use, or that of any other person, or shall knowingly and wilfully fail to make entries on the books of said bank, with the intent to cheat or defraud said corporation, or any other person, to hide or conceal any improper appropriation of the funds of said corporation, said person or officer so offending shall be deemed guilty of felony, and shall, upon conviction thereof, be sentenced to confinement in the jail and penitentiary of the State for a period of not less than five nor more than twenty years.

§ 19. It shall be the duty of the president and directors of the bank, during the first week of the session of the Legislature, in each year, to transmit to the Secretary of State an accurate and just statement of the condition of the bank, as it existed on the first day of the preceding month, which statement shall specify the amount of the capital

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stock actually paid in, and the amount not paid in, and the value of the real estate belonging to the bank, and its cost, the total amount of the debts due to and from the bank, the amount of gold and silver and other coined metal and bullion on hand, the amount deposited, the amount of bills in circulation, and the amount of bills on hand of other incorporated banks, the amount of notes in circulation of each denomination issued by the bank, the rate and amount of each dividend of profits made by the bank, with the amount of the surplus profits or the contingent fund; which statement the Governor of the commonwealth shall cause to be laid before the Legislature, and they shall, when required by the Legislature, report all bad and doubtful debts.

§ 20. The president, cashier, directors, clerks, and tellers, and other officers of the bank, previous to entering upon the discharge of their duties, shall take an oath before some justice of the peace of this State, faithfully, honestly, and impartially, and to the best of their skill and judgment, to discharge all the duties of their respective offices and stations, under this charter, or which may be required of them by the by-laws, rules, and regulations of the corporation.

§ 21. Said bank shall not contract for or receive a greater rate of interest than at the rate of six per centum per annum, for the loan or forbearance of money, and interest on promissory notes, negotiable and payable at said bank; and their discount shall be calculated upon the true time such notes have to run, including three days of grace, and shall be paid in advance, and on banking principles, in conformity with Rowlett's tables of discount and interest.

§ 22. That certificates of stock shall be issued to the proper party entitled thereto, and the shares of the capital stock of said bank shall be considered and held in law as personal property, and assignable and transferable only in such manner and at such place or places as said directors shall, by their by-laws, provide; and said bank shall have and retain a lien on any unassigned stock against the holder thereof, for any sum or balance that may be owing by such holder to said bank.

§ 23. The certificates of deposit, bank bills, or notes, bills of exchange, or orders, issued by said bank, shall be signed by the president and countersigned by the cashier, promising or requesting the payment of money to any person or persons, and to order or bearer, as the case may be, and be obligatory on said bank, although not under its seal; and such of said notes or bills as shall be payable to order, shall be transferred by assignment, and those made payable to bearer, by delivery.

§ 24. That the annual meeting of said stockholders shall be held at Ashland, on the first Monday in May in each year, at the time of the annual elections, to which meeting the president and directors of the bank shall present an accurate statement of the condition and affairs of the bank. And a general meeting of the stockholders may be called, as provided in this charter, or by the president and directors of the bank, when they esteem it desirable, or by any number of the stockholders the by-laws of the corporation shall require.

§ 25. The Franklin Circuit Court shall have jurisdiction to try the forfeiture of this charter, for the violation of any of the provisions of the same. The proceeding shall be by scire facias, alleging and speci-

fying the acts of forfeiture complained of, and shall only be sued out at the instance of the Attorney General, when directed to do so by order of the Legislature, or Governor for the time being.

§ 26. If the whole of the capital stock shall not be subscribed for, when the books of subscription shall be opened by the commissioners as hereinbefore provided, it shall be lawful for the directors of said bank, after the bank shall have gone into operation, from time to time to sell and dispose of any balance of stock that may remain, until the whole balance shall be disposed of: Provided, however, that the same shall not be sold at less than the par value of said stock.

§ 27. The payment of the shares of the capital stock shall be in gold and silver, at the times and in the manner following, to-wit: five dollars on each share to the commissioners at the time of subscribing, as hereinbefore provided; and ten dollars on each share within ten days after the election of the first board of directors; and the residue shall be paid in such installments as the bank shall require, except that the first board of directors shall make such call on the amount of stock subscribed as shall produce the aggregate sum of fifty thousand dollars, at least; and after that not more than twenty dollars shall be called for, at any one time, on each share, nor shall the time between the calls be less than ninety days.

§ 28. Should any of the subscribers to the capital stock of said bank fail or refuse to pay for their stock, as hereinbefore provided, the president and directors, first giving public notice, in at least two public authorized newspapers in this State, for the space of thirty days, by a resolution entered on the records, may forfeit such stock, and proceed, at such time as they may deem expedient, to re-sell the same; and all partial payments made on any stock which shall be forfeited, shall be held for the benefit of the bank.

§ 29. So soon as one hundred thousand dollars of said capital stock shall have been subscribed for, and fifty thousand dollars have been paid in by said subscribers, in gold and silver, the president and directors shall cause the Governor of this commonwealth to be notified thereof, who is hereby authorized to appoint some suitable person to count the money so paid in as capital stock, and to take the oath of the president and not less than three of the directors that the same has been paid in as stock bona fide, and make due return thereof to him. And on such appearing to be the fact, the Governor is authorized to issue his proclamation that the amount hereby required to be paid in, and in the funds required, has been done, and the said bank is authorized to commence operations as a banking institution; and from and after the first proclamation, it shall be lawful for said bank to commence business.

§ 30. It shall not be lawful for the president or any of the directors of said bank to become bound as security or accommodation indorser on any note or bill discounted in said bank; and a violation of this provision shall subject the person violating the same to a penality of one thousand dollars, to be recovered by action of debt, in the name of the corporation, and for their use and benefit.

§ 31. In consideration of the franchises granted herein, it shall be the duty of said bank, on the first day of July of each year, during the

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continuance of this charter, to pay to the Auditor of Public Accounts, fifty cents on each hundred dollars of stock held and paid for in said bank, which shall be in full of all tax or other bonus or assessment: *Provided*, that no tax shall be paid until said bank shall go into operation; and that the amount of tax so paid shall be paid into the common school fund, and forever held inviolable for school purposes.

§ 32. That a branch, with a capital of two hundred thousand dollars over and above the four hundred thousand dollars hereinbefore provided, be and the same is hereby established and located at Shelbyville, in Shelby county: Provided, the stock is subscribed and taken within two years from the passage of this act: And provided further, that if the stock in said branch is not subscribed for in two years as aforesaid, then the president and directors of mother bank shall have the power to establish said branch at some other eligible point in the State, of which the Governor of the State shall be informed by said president and directors.

§ 33. That books of subscription to the capital stock of said branch shall be opened at Shelbyville, under the superintendence of commissioners, to be appointed by the principal bank, at such time and in such manner as they may think proper to prescribe; and said principal bank shall have power to prescribe such rules and regulations for the government of such branch as they may deem right, and shall have power to enforce the same.

§ 34. The affairs of said branch shall be managed by five directors, subject to the restrictions aforesaid, who shall be stockholders in said branch, and shall be appointed by the directors of the principal bank. And said principal bank shall also appoint the cashier of said branch; and the directors of such branch shall elect one of their own number president; who shall hold his office for the same term of the president

of the principal bank. § 35. Said bank shall not at the principal bank, or at its branch, hold and own at any time an amount of bills of exchange exceeding the amount of promissory notes held and owned at such time by such bank or branch; and all promissory notes payable at a different point from that at which they may be discounted, and from which a greater discount than at the rate of six per cent. per annum is taken, whether under color of exchange, charge for collection, or otherwise, shall, for the purposes of this section, be held and taken to be bills of exchange. But the bank shall not be held to have violated this provision if the amount of the promissory notes held and owned by the principal bank, or its branch, shall be at any time reduced by payments below the amount of bills of exchange: Provided, no further purchases of bills are made for such bank or branch, until the amount of bills be reduced below that of promissory notes. Provided, however, said bank shall at no time charge a greater rate of exchange than the one-eighth of one per cent. a month on bills made payable in this State, or the onefourth of one per cent. a month on bills made payable out of this State, and on no bill for any length of time a greater amount for exchange than one per cent., when payable out of this State; but this proviso shall not legalize any usurious charge for time, under color of charging

for exchange; or affect the right of the General Assembly at any time to limit in any manner, the rate of discount for exchange on any bill of exchange, that may be discounted by said bank. Provided further, that said bank shall not at any time, buy or deal in that class of bills known by the name of kites, and should the officers of said bank, buy or deal in any such bill or bills, knowing the character thereof, or having it in their power to ascertain the character thereof, by proper diligence, the parties bound upon said bill shall be released from all liability thereon, and said bill shall be void and not collectable by law or otherwise, and said bank shall be liable to all other penalties affixed by this act, for a violation of the foregoing provisions.

§ 36. If at any time a forfeiture of the charter shall be declared, as provided for in section 14 of this act, in order to secure the payment of the debts of the bank, each stockholder shall be required to pay the full amount of stock at that time remaining unpaid; and to that extent shall he be held personally liable for the debts due from said bank; and upon his failure to pay the remainder of said stock, suit may be instituted against him, in any court of competent jurisdiction for the recovery of the same.

§ 37. The bills and notes of said corporation originally made payable to bearer, shall be receivable in all payments to the State, and on account of county levies, so long as it shall redeem its notes in gold and silver on demand, unless otherwise directed by law.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. McFarland and Weis, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain. William C. Bullock, Jesse W. Burton, Nathaniel W. Collins, Samuel Howard, William L. Conklin, T. W. W. DeCourcey, John Q. A. King, William C. Gillis.

William T. Haggin, James D. Hardin. Sylvester Harris, William Howell,

James Sudduth, W. H. Wadsworth, C. J. Walton, D. K. Weis. John Williams, Tucker Woodson, John S. McFarland, George Wright-21.

Those who voted in the negative, were-

John S. Barlow, James F. Buckner, George T. Edwards. David Irvine, Wiley S. Hav.

James D. Headley. Overton P. Hogan, John P. Martin.

Daniel Matthewson, Charles Ripley, D, Howard Smith-11.

Resolved, That the title thereof be as aforesaid. Leave was given to bring in the following bills, viz:

On motion of Mr. King-1. A bill to incorporate the city of Padu-.cah.

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On motion of same—2. A bill for the benefit of the heirs of Jacob Watson, deceased.

On motion of same-3. A bill for the benefit of Francis E. Hays.

On motion of Mr. Hardin—4. A bill to amend and reduce into one the several acts in relation to the town of Harrodsburg.

On motion of Mr. Irvine—5. A bill to authorize the County Court of Madison to sell the poor house land belonging to said county.

On motion of Mr. Weis-6. A bill to amend the charter of the Lexington and Big Sandy Railroad Company.

On motion of Mr. Smith—7. A bill making the Georgetown Journal and Georgetown Herald legally authorized newspapers.

On motion of Mr. Haggin—8. A bill further to regulate the duties of the commissioner of the Louisville Chancery Court.

On motion of Mr. Buckner—9. A bill to authorize the trustees of Olivet church in Christian county to sell the old church and lot.

On motion of Mr. Martin—10. A bill for the benefit of Edwin Trimble, late clerk of Floyd county, and James Trimble, the present clerk of said county.

On motion of Mr. Howell—11. A bill authorizing the County Court of Larue to sell the poor house lands of said county.

On motion of Mr. DeCourcey—12. A bill to direct certain terms of the Campbell Circuit Court to be held in Newport.

On motion of Mr. Headley—13. A bill to incorporate the Independent Order of Odd Fellows, at Caseyville, in Union county.

On motion of Mr. Gilliss—14. A bill to extend the time for surveying and registering surveys upon Kentucky land office warrants.

Ordered, That the committee on the Judiciary prepare and bring in the 1st, 2d, 3d, 4th, 7th, 9th, 12th, 13th and 14th; the committee on County Courts the 5th, 10th and 11th; the committee on Internal Improvement the 6th; and Messrs. Haggin, Ripley and Smith the 8th.

Mr. Walton, from the select committee who were appointed to prepare and bring in the same, reported a bill to establish the common school month.

Which was read the first time, and ordered to be read a second time.

The constitutional provision, as to the second reading having been dispensed with, it was referred to the committee on Education.

Bills from the House of Representatives of the following titles, to-wit:

1. An act to amend the charter of the Louisville and Frankfort Railroad Company

2. An act to declaring Wolf creek, in Lawrence county, a navigable stream.

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- 3. An act to regulate the rates of tolls on the Wilderness Turnpike road.
- 4. An act to charter the Springfield Agricultural and Mechanical Association.
- 5. An act to incorporate the Christian County Agricultural and Mechanical Association.
- 6. An act to amend the laws relating to the county levy of Kenton county.
- 7. An act to incorporate the Warren county Agricultural and Mechanical Association.
- 8. An act to incorporate the Southern Kentucky Fair Ground Association.
- 9. An act to change the time of holding the Graves and Crittenden Circuit Courts.
- 10. An act to change the time of holding the Rockcastle Circuit Court.
- 11. An act to increase the jurisdiction of the Police Judge of Monterey, in Owen county.
- 12. An act to authorize the County Court of Spencer county to sell the poor house lands in said county.
- 13. An act to change the time of holding the Campbell Quarterly Courts.
- 14. An act to change the time of holding the Crittenden Quarterly Court.
- 15. An act to ratify the sale made by the Marion County Court of the poor house and farm.
- 16. An act to provide for increasing the county levy of Kenton county.
- 17. An act to amend an act authorizing the citizens of Brandenburg to elect a Police Judge and Marshal.
 - 18. An act to give further power to the Jessamine County Court.
- 19. An act to authorize married women to convey real and other property, under power of attorney.

Were read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills having been dispensed with, the 1st, 2d, 3d and 18th were referred to the committee on Internal Improvement; the 4th, 5th, 7th and 8th to the committee on Agriculture and Manufactures; the 6th, 11th, 12th 13th, 14th, 15th, 16th and 17th to the committee on County Courts; the 9th and 10th to the committee on Circuit Courts; and the 19th to the committee on the Judiciary.

Mr. Irvine, from the committee on Enrollments, reported that the

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committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Copeley Cemetery Company, at Bowling-green.

An act to amend the charter of the Covington Fire, Life, and Marine Insurance Company.

An act for the benefit of L. B. Wilson, late sheriff of Carroll county.

An act to authorize the Louisville and Nashville Railroad Company to sell their bonds, for certain purposes.

An act to amend an act, entitled, an act to incorporate the Flemingsburg and Poplar Plains Turnpike Road Company.

An act to incorporate the Richmond and Big Hill Turnpike Road Company.

An act for the benefit of the sureties of Berry Scruggs, late Sheriff of Washington county.

An act to amend an act, entitled, an act to incorporate the Hustonville, Liberty, and Columbia Turnpike Road Company.

An act to incorporate certain certain Turnpike road companies.

An act to amend chapter 42 of the Revised Statutes, title, gaming. And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Irvine reported that the committee had performed that duty.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up, and read as follows, viz:

Executive Department, January 26, 1856.

Gentlemen of the Senate:

I nominate for your advice and consent the following persons to be Notaries Public for the several counties named:

James W. Wales, for Jefferson.
Caleb W. Logan, for Jefferson.
Jas. E. Tyler, for Jefferson.
C. D. Shean, for Hardin.
Chas. T. Wilson, for Harrison.
Wm. T. Phipps, for Kenton.
Thos. B. Cochran, for Shelby.
T. J. Throop, for Shelby.
Thomas Summers, for Bath.

John Williams, for Jefferson.
Wm. G. Barbour, for Caldwell.
John W. Kenningham, for Knox.
William Tuggle, for Knox.

C. S. MOREHEAD.

Resolved, That the Senate advise and consent to said appointments. And then the Senate adjourned.

MONDAY, JANUARY 28, 1856.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, to-wit:

An act to incorporate the Winchester and Mt. Sterling Central Turnpike Road Company.

An act to amend an act, entitled, an act to amend and reduce into one the several acts relating to the town of Glasgow.

An act to change the county line between Knox and Harlan counties.

An act for the benefit of Richard Taylor, and adopted daughter Mary Richard Taylor.

An act to incorporate the Kiddville and Red River Turnpike Road. And had received official information from the Governor, that he had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to amend the act incorporating the Frankfort, Georgetown, and Paris Turnpike road Company.

An act for the benefit of Hiram Keath, of Pulaski county.

An act for the benefit of Joshua Oaks.

An act for the benefit of James Taylor, of Hardinsburg.

An act to change the time of holding the January term of the Fleming Quarterly Court.

An act for the benefit of Mrs. Margaret Leavy.

An act to incorporate the Wolf Hill Coal and Mining Company.

An act to amend an act, entitled, an act to regulate the town of Falmouth, in Pendleton county.

An act to change the 32d chapter, 11th article, 3d section of the Revised Statutes.

An act to amend the charter of the Louisville and Memphis Railroad Company.

An act for the benefit of Johnson A. Dawson, late Sheriff of Powell county.

An act to render effectual the road law in Pendleton county.

An act to amend the charter of the Protestant Episcopal Orphan Asylum, of the city of Louisville.

An act to incorporate Allen Lodge Masonic Female College.

An act to amend the charter of the city of Smithland.

An act for the benefit of John Moore, Jailer of Green county. Approved January 25, 1856.

1. Mr. Hay presented the petition of sundry citizens of McLean county, praying that the County Court of said county may establish a free ferry across Green River.

2. Mr. Sudduth presented the petition of sundry citizens of Morgan county, praying for a change of a road in said county.

3. Mr. Buckner presented the petition of Ducker, Pemberton & Co., praying compensation for work done on the Western Lunatic Asylum.

4. Also, the petition of sundry citizens of Christian county, praying the passage of a law to prevent the destruction of fish in Little river in said county.

5. Mr. Martin presented the petition of Samuel Salyers, of Floyd county, praying compensation for services rendered in carrying a lunatic to the asylum.

6. Also, the petition of sundry citizens of Prestonsburg, in Floyd county, praying the passage of a law to prevent the sale of ardent spirits in said town.

7. Also, the petition of James P. Harris, of Floyd county, praying permission to build a mill dam across Middle creek in said county.

Which were received, the reading dispensed with, and referred—the 1st and 4th to the committee on Propositions and Grievances; the 2d to the committee on County Courts; the 3d and 5th to the committee on Finance; the 6th to the committee on Religion; and the 7th to the committee on Internal Improvement.

Mr. Buckner read and laid on the table the following preamble and resolutions, to-wit:

Whereas, divers commercial treaties upon the principle of reciprocity and mutual expected benefit, have been made by the United States with foreign nations, and the policy of making such treaties is growing rapidly into favor among civilized governments, and although the equivalents granted in such treaties by the government of the United

States to the powers and interests with whom they have heretofore treated, have been furnished and conceded at the expense of all the States, yet no favor has been granted in return to the tobacco interest of this or of the other planting States. The excessive and unprecedented duties and exactions imposed upon that article by all European governments, continue, and are only limited by the need for revenue of those governments; and, whereas, Kentucky has long felt the necessity of some energetic action on the part of the General Government, in behalf of her citizens engaged in the production of this her most important article of export. Therefore—

1. Be it resolved by the General Assembly of the Commonwealth of Kentucky, That it is the duty of the United States, in all future treaties with foreign countries, to see that the great staple of tobacco is placed on an equal footing with the other great agricultural interests of our common

country.

2. That our Senators in Congress be instructed, and our representatives requested to urge upon the Federal Government the propriety of of using every means in its power to produce a more liberal policy on the part of those foreign governments now imposing such restrictions and having such monopolies on this branch of our national wealth.

3. That we respectfully urge upon the members of the Southern Commercial Convention, at their next meeting, to take this subject into consideration, with a view to bring it more prominently before the different States of the Union, and especially to those States more directly interested in the culture, and consequently in the increased demand for tobacco.

4. That the Governor be requested to forward a copy of the above preamble and resolutions to the President of the United States, our Senators and Representatives in Congress, and the President of the Southern Commercial Convention, soon to be held in Richmond.

The rule of the Senate requiring joint resolutions to lie one day on the table, having been dispensed with, they were taken up, twice read, and adopted.

Mr. Weis, from the committee on Internal Improvement, to whom was referred a bill from the House of Representatives, entitled, an act to provide for appointing a gate keeper and overseers on the turnpike road in Knox county, reported the same without amendment.

And the question being taken on ordering the said bill to be read a third time, it was decided in the negative.

And so the said bill was rejected.

Mr. King, from the committee on Finance, reported a bill requiring the verification of claims upon the Treasury, and to prevent swindling. Which was read the first time, as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That no claim shall hereafter be allowed by the Legislature, payable out of the Treasury, unless said claim be made out in writing, stating distinctly and specifically each item and how it was created, to be verified by the written affidavit of the applicant that said claim is just

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and true, that the same has never been paid, or any part thereof, nor has he any security or pledge for its payment, and that he is, in good faith, entitled to the amount claimed by him. Said affidavit can be made before any officer authorized by law to administer oaths; and if said claim can be proven by a disinterested witness or witnesses their affidavit shall accompany the claim; if it cannot be so proven, that fact shall be stated in the affidavit of the applicant.

§ 2. The laws now in force upon the subject of perjury shall apply to all applications under this act, and the punishments shall be confinement in the Penitentiary of not less than six months nor more than two years, in the discretion of a jury; and the Franklin Circuit Court shall have jurisdiction of all offenders under this act.

§ 3. This act to take effect from and after the final adjournment of the present Legislature.

Ordered, That said bill be read a second time.

The constitutional provision as to the second reading of said bill having been dispensed with,

Mr. DeCourcey moved to amend sald bill by adding thereto the following proviso, to-wit:

Provided, That this act shall not apply to any person holding office under the authority of the commonwealth of Kentucky.

Mr. Conklin moved to refer said bill and amendment to the committee on the Judiciary.

And the question being taken thereon, it was decided in the affirmative—the Speaker having voted in the affirmative.

The yeas and nays being required thereon by Messrs. Martin and Walton, were as follows, viz:

Those who voted in the affirmative, were-

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William C. Bullock,	Sylvester Harris,	George W. Silvertooth
William L. Conklin,	Wiley S. Hay,	Shelby Stone,
George T. Edwards,	William Howell,	James Sudduth,
William C. Gillis,	John S. McFarland,	Tucker Woodson,
James D. Hardin,	Charles Ripley,	George Wright—15.

Those who voted in the negative, were-

John S. Barlow,	Overton P. Hogan,	Daniel Matthewson,
James F. Buckner,	Samuel Howard,	W. H. Wadsworth,
	David Irvine,	C. J. Walton,
T. W. W. DeCourcey,	John Q. A. King.	D. K. Weis,
James D. Headley,	John P. Martin,	John Williams—15.

Mr. King, from the same committee, reported a bill for the benefit of Bright and Bright and Chapman and Merrriweather.

Which was read the first time as follows, to-wit:

§ 1 Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts is hereby directed to issue his warrant upon the Treasury in favor of Michael G. Bright and Michael S. Bright, (constituting one firm,) and James W. Chapman and

James B. Merriwether, (constituting another firm.) for the sum of two hundred dollars for the last firm, and two hundred and fifty dollars for the first firm, to be paid out of any money in the Treasury not otherwise appropriated, for their services as attorneys at law, in behalf of this State, in the apprehension and prosecution of Delia A. Webster, who was charged with the abduction of slaves from this State.

§ 2. This act shall take effect from its passage.

Ordered, That said bill be read second time.

The constitutional provision as to the second reading having been dispensed with,

The question was then taken on ordering said bill to be engrossed and read a third time, and it was decided in the negative.

And so the said bill was rejected.

The yeas and nays being required thereon, by Messrs. Hogan and Stone, were as follows, viz:

Those who voted in the affirmative, were-

John S. Barlow, James F. Buckner, David Irvine, William C. Bullock, John P. Martin, D. K. Weis, James D. Hardin, Charles Ripley,

Svlvester Harris,

George W. Silvertooth, C. J. Walton, George T. Edwards, Daniel Matthewson, John Williams-14.

Those who voted in the negative, were-

Jesse W. Burton, Nathaniel W. Collins, Overton P. Hogan, William L. Conklin, Samuel Howard, William L. Conklin, Samuel Howard, T. W. W. DeCourcey, William Howell, William C. Gillis. Wiley S. Hay,

James D. Headley, John Q. A. King, John S. McFarland,

Shelby Stone, James Sudduth, W. H. Wadsworth, Tucker Woodson, George Wright-17.

Mr. Barlow, from the committee on Finance, to whom was referred the petition of sundry citizens of Bath county, for the benefit of the Assessor of said county.

Also, the petition of sundry citizens of Morgan county, praying that Lewis Trimble may be permitted to peddle without license.

Reported the same with the following resolution, to-wit:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Barlow, from the same committee, to whom was referred leave to bring in a bill for the benefit of George W. Kouns, of Carter county, asked to be discharged from the further consideration thereof.

Which was granted.

A message was received from the House of Representatives announcing their concurrence in the preamble and resolutions in relation to the tobacco trade.

The Senate, according to order, took up for consideration the resolutions read and laid on the table by Mr. Barlow, on the 3d inst., and the

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preamble and resolutions proposed as a substitute therefor by Mr. Conklin, from the committee on Federal Relations, on the 17th inst.

Mr. Hardin moved to amend said substitute by adding to the third resolution the following, to-wit:

The Missouri restriction, or compromise, as it is called by some, was null and unauthorized by the Constitution of the United States, contrary to the treaty stipulations for the cession of Louisiana, and inconsistent with the equality of the States of the confederacy. It had been practically abrogated by the legislation of Congress organizing the territories of Utah, New Mexico and Washington: that Congress has no constitutional power to legislate slavery into a territory, or district of the United States, nor to exclude it therefrom; but this is a question left to the people of the territory, perfectly free to form and regulate their domestic institutions in their own way, subject to the Constitution of the United States. Therefore, the passage of the Nebraska and Kansas act was right and just to all the States, and eminently proper. And our Senators in Congress be instructed, and our Representatives be requested to vote against its repeal, and against the restoration of the Missouri restriction.

And the question being taken thereon, it was decided in the negative

The yeas and nays being required, by Messrs. Weis and Hogan, were as follows, viz:

Those who voted in the affirmative, were-

John S. Barlow,
T. W. W. DeCourcey,
John P. Martin,
James D. Hardin,
James D. Headley,

Overton P. Hogan,
C. J. Walton,
Daniel Matthewson,
D. K. Weis—10.

Those who voted in the negative, were-

James F. Buckner, Wiley S. Hay, Shelby Stone, Samuel Howard, James Sudduth. William C. Bullock, W. H. Wadsworth Jesse W. Burton. William Howell. Nathaniel W. Collins. David Irvine, John Williams William L. Conklin. John Q. A. King, Tucker Woodson, John S. McFarland, George Wright-20 George T. Edwards, Charles Ripley, Sylvester Harris,

Leave was given to bring in the following bill, viz:

On motion of Mr. Gilliss—1. A bill granting to Robert M. Bradley and company a charter to improve the navigation of the Cumberland river, and the south fork of the same.

On motion of Mr. Irvine—2. A bill to incorporate the Kirksville Turnpike Road Company in Madison county.

On motion of Mr. Silvertooth—3. A bill to amend an act, entitled, an act to incorporate the Hickman and Obion Railroad Company.

On motion of same—4. A bill to incorporate the Nashville and Northwestern Railroad Company.

On motion of Mr. Headley—5. A bill to provide that the Judges of the several County Courts shall hereafter appoint the officers of elections, one each from the two political parties of the State.

Ordered, That the committee on Internal Improvement prepare and bring in the 1st and 2d; Messrs. Silvertooth, King and Martin the 3d and 4th; and the committee on the Revised Statutes the 5th.

Mr. Walton moved the following resolution, to-wit:

Resolved, That the Public Printer be and he is hereby requested to lay before this Legislature, at his earliest convenience, the items and amount of public printing done for this Commonwealth during the last two years.

Which was adopted.

Mr. Irvine, from the committee on Enrollments, reported that the committee had examined a preamble and resolutions which originated in the Senate in relation to the tobacco trade.

Said preamble and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Irvine reported that the committee had performed that duty.

And then the Senate adjourned.

TUESDAY, JANUARY 29, 1856.

A message was received from the House of Representatives, announcing their disagreement to bills from the Senate, of the following titles, viz:

An act to amend the 68th chapter of the Revised Statues.

An act to amend the 10th section of the 13th chapter of the Revised Statutes.

That they had passed bills from the Senate of the following titles viz:

An act to amend the road laws of this commonwealth.

An act requiring County Judges to make settlements with the trustees of the jury fund for all taxes and public moneys in their hands.

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That they had passed bills of the following titles, viz:

An act reserving power to amend or repeal charters and other laws.

An act for the benefit of Patrick Napier, late Sheriff of Casey county.

An act for the benefit of James Clark, late Sheriff of Casey county. An act to increase the fees of Jailers.

And had received official information from the Governor, that he had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to incorporate certain certain Turnpike road companies.

An act to amend chapter 42 of the Revised Statutes, title, gaming.

An act to amend an act, entitled, an act to incorporate the Hustonville, Liberty, and Columbia Turnpike Road Company.

An act for the benefit of the sureties of Berry Scruggs, late Sheriff of Washington county.

An act for the benefit of L. B. Wilson, late sheriff of Carroll county.

An act to amend the charter of the Covington Fire, Life, and Marine Insurance Company.

An act to amend an act, entitled, an act to incorporate the Flemingsburg and Poplar Plains Turnpike Road Company.

An act to authorize the Louisville and Frankfort Railroad Company to issue and sell their bonds, for certain purposes.

An act to incorporate the Copeley Cemetery Company, at Bowling-green.

An act to incorporate the Richmond and Big Hill Turnpike Road Company. Approved January 28, 1856.

1. Mr. Kohlhass presented the petition of a number of the voters of in district No. 6, in Clarke county, praying to be added to the Germantown district, and that the place of voting in the Germantown district be changed to Bush's Mill.

2. Mr. Silvertooth presented the petition of sundry citizens of district No. 2, in Hickman county, praying for a division of said district.

3. Mr. Hogan presented the memorial of Burwell Carter, of Grant county, in relation to a proposed amendment of the common school law.

Which were received, the reading dispensed with, and referred—the 1st and 2d to the committee on Privileges and Elections; and the 3d to the committee on Education.

Mr. Wadsworth, from the committee on Education, to whom was referred leave to bring in a bill to incorporate the Jefferson Female Academy, asked to be discharged from the further consideration thereof.

Which was granted.

Mr. McFarland, from the committee on Agriculture and Manufactures, to whom were referred bills from the House of Representatives of the following titles, viz:

An act to charter the Springfield Agricultural and Mechanical Association.

An act to incorporate the Warren county Agricultural and Mechanical Association.

An act to incorporate the Southern Kentucky Fair Ground Asso-

An act to incorporate the Christian County Agricultural and Mechanical Association.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Howell, from the committee on Revised Statutes, to whom was referred a bill for the benefit of the Constables of Woodford and Franklin counties, and the Marshals of the city of Frankfort and town of Versailles, reported the same with an amendment as a substitute for said bill.

Which was concurred in.

Ordered, That said bill, as amended, be engrossed and read a third

The said bill read as follows, viz:

WHEREAS, doubts exist as to whether constables have concurrent jurisdiction with Sheriffs in executing process in civil actions, issued from Quarterly Courts over \$50 and under \$100. Therefore-

Be it enacted by the General Assembly of the Commonwealth of Kentucky. That from and after the passage of this act Constables shall have concurrent jurisdiction with Sheriffs in executing and collecting all process in civil actions, issuing from the Quarterly Courts: Provided, That nothing in this act shall be so construed as to authorize an execution issuing from said courts to be levied on land.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Walton and Stone, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain, William C. Bullock, William Howell, Jesse W. Burton,

Samuel Howard,

Shelby Stone, James Sudduth, John Q. A. King, W. H. Wadsworth,

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William L. Conklin. George T. Edwards, William C. Gillis. Sylvester Harris,

Nathaniel W. Collins, Daniel Matthewson, D. K. Weis, John S. McFarland, John Williams, George W. Silvertooth, Tucker Woodson, D. Howard Smith, George Wright-22

Those who voted in the negative, were-

James D. Hardin. David Irvine. John S. Barlow. Wiley S. Hay, Theodore Kohlhass. James F. Buckner, T. W. W. DeCourcey, James D. Headley. Charles Ripley, C. J. Walton-12. William T. Haggin, Overton P. Hogan,

Resolved. That the title of said bill be amended to read as follows: An act authorizing Constables to execute process issuing from the Quarterly Courts in civil actions.

A message was received from the House of Representatives, asking leave to withdraw their report announcing their disagreement to a bill from the Senate, entitled, an act to amend the 68th chapter of the Revised Statutes.

Which was granted, and the same was withdrawn.

Mr. Wadsworth, from the select committee of thirteen, who were appointed to prepare and bring in the same, reported a bill to divide the State into thirteen judicial districts.

Which was read the first time, and ordered to be read the second time.

The constitutional provision as to the second reading of said bill having been dispensed with,

Mr. Weis moved an amendment to said bill.

Mr. Blain moved an amendment to said amendment.

Ordered, That said bill and amendments be made the special order of the day for to-morrow at 12 o'clock, M., and that the Public Printer forthwith print 150 copies of said bill and amendments for the use of the members of the General Assembly.

Mr. Wadsworth, from the committee on Education, reported a bill to amend the Revised Statutes, chapter 88, title, schools and semina-

Which was read the first time, and ordered to be read a second

The constitutional provision as to the second reading of the said bill having been dispensed with,

Ordered, That said bill be made the special order the day for Monday, the 4th of February, and that the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly, and also 150 copies of Burwell Carter's proposed amendment to the common school law.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By the committee on Finance—A bill for the benefit of John W. Dejarnett, late Sheriff of Grant county.

By same—A bill for the benefit of Nimrod D. Wheeler, late Sheriff of Pendleton county.

By the committee on Education—A bill for the benefit of common school districts in this commonwealth.

By same—A bill for the benefit of school district No. 6, in Fulton county.

By Mr. Silvertooth—A bill to amend the charter of the Hickman and Obion Railroad Company.

By same—A bill to incorporate the Nashville and Northwestern Railroad Company.

Which were read the first time, and ordered to be read a second time. The constitutional provision as to the second and third readings of sain bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State, announcing that he had, on the 28th inst., signed and approved a preamble and resolutions, which originated in the Senate, in relation to the tobacco trade.

Mr. Wadsworth moved a re-consideration of the vote rejecting the bill for the benefit of Bright and Bright, and Chapman and Merriwether.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be re-committed to the committee on Finance.

Leave was given to bring in the following bills, viz:

On motion of Mr. DeCourcey—1. A bill to increase the powers and jurisdiction of the mayor of the city of Newport.

On motion of same—2. A bill to incorporate the Kenton Lodge No. 24, I. O. O. F.

On motion of same—3. A bill to incorporate Olive Branch Encampment No. 6, I. O. O. F.

On motion of Mr. Hogan—4. A bill for the benefit of school district No. 14, in Owen county.

On motion of Mr. Irvine—5. A bill to incorporate the Lowell and Back Creek Turnpike Road in Garrard county.

Ordered, That the committee on the Judiciary prepare and bring in

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the 1st; the committee on County Courts the 2d and 3d; the committee on Education the 4th; the committee on Internal Improvement the 5th.

Mr. King asked leave to withdrawn the petition of Emily Giben.

Which was granted, and the same was withdrawn.

Mr. Weis asked leave to withdraw the petition and remonstrance of the citizens of Catlettsburg.

Which was granted, and the same were withdrawn.

Mr. Howell, from the committee on Revised Statutes, reported a bill to amend the 1st section, article 17, chapter 28 of Revised Statutes, entitled, penal offenses and punishments.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third readings of

said bill having been dispensed with,

Mr. Haggin moved an amendment to said bill by way of ryder, and after some discussion had thereon, the hour of 12 o'clock arrived, when the Senate proceeded to the orders of the day.

The Senate again resumed the consideration of the resolutions proposed by Mr. Barlow, on the 3d inst., and the substitute proposed therefor by Mr. Conklin, from the committee on Federal Relations, on the 17th inst., and after some discussion had thereon,

The Senate adjourned.

WEDNESDAY, JANUARY 30, 1856.

A message was received from the House of Representatives announcing that they had disagreed to a bill from the Senate, entitled, an act to amend the 68th chapter of the Revised Statutes.

That they had adopted a resolution in relation to the annexing part of Fulton county to the State of Tennessee.

Said resolution was then taken up, twice read, and concurred in.

On motion of Mr. Weis-

Ordered, That a message be sent to the House of Representatives, asking leave to withdraw the report of the Senate, announcing their disagreement to a bill which originated in the House of Representatives, entitled, an act to provide for appointing a gate keeper and overseers on the Turnpike road in Knox county.

After a short time the messenger returned with the said bill.

1. Mr. Bullock presented the petition of the surviving and resident trustees of Buck Creek Seminary, praying the passage of a law to disannul the charter of said seminary, and to appoint a commissioner to sell the property belonging to said trustees.

2. Mr. Martin presented the petition of sundry citizens of Morgan county, praying the formation of a new county out of part of said

county of Morgan.

Which were received, the readings dispensed with, and referredthe 1st to the committee on the Judiciary; and the 2d to the committee on Propositions and Grievances.

Mr. Smith read and laid on the table the following preamble and resolution, to-wit:

Whereas, the preamble and resolutions adopted at the last session of the General Assembly, in respect to the memory of Kentucky's illustrious son, Henry Clay, were not, in consequence of some inadvertance published in the session acts; be it therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Public Printer be, and he is hereby directed, to publish in the next volume of the session acts said preamble and resolutions, as a portion

of the legislative history of the State.

The rule of the Senate requiring joint resolutions to lie one day on the table, having been dispensed with, they were taken up, twice read, and adopted.

The Senate resumed the consideration of the report from the committee on Propositions and Grievances, on the petition of sundry citizens of the counties of Nelson, Washington and Anderson, praying the formation of a new county.

The question was then taken on the motion made by Mr. Smith, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Buckner and Hogan, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain. Jesse W. Burton. T. W. W. DeCourcey, John Q. A. King, James Sudduth, George T. Edwards, William T. Haggin,

Wiley S. Hay, Samuel Howard, John S. McFarland, Charles Ripley Charles Ripley,

D. Howard Smith, Shelby Stone, John Williams, Tucker Woodson-15.

Those who voted in the negative, were-

John S. Barlow, James F. Buckner, James D. Headley, Daniel Matthewson, William C. Bullock, Overton P. Hogan, W. H. Wadsworth, Nathaniel W. Collins, William Howell, C. J. Walton, William L. Conklin, David Irvine, William C. Gillis, Theodore Kohlhass, George Wright-19. James D. Hardin, and the manufacture of the property of the pr

Sylvester Harris, John P. Martin, D. K. Weis,

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The report of said committee was then concurred in.

The Speaker laid before the Senate, a communication from R. C. Wintersmith, Treasurer of the State of Kentucky, which is as follows viz:

TREASURY DEPARTMENT, Frankfort, January 29, 1856.

HON. JAMES G. HARDY.

Lt. Governor, and Speaker of the Senate:

Dear Sir: In the Louisville Courier, of the 28th inst., an anonymous writer over the signature of Se De Kay, states that I acknowledged having appropriated \$500 per annum of the State's money to my own use, without the shadow or pretext of authority; and that my excuse was, that I could not live on \$1,700, my regular salary, and accordingly took the extra \$500 to meet family expenses. Knowing that the public mind is justly sensitive on a subject of this kind, and feeling that my character is dearer to me than life itself, I desire to ask, through you, a prompt investigation of this foul and calumnious charge. That I ever acknowledged that I had appropriated this money to my own use, without the shadow or pretext of authority, is unqualifiedly false. By an act, approved March 9, 1854, it is enacted, that hereafter there shall be an additional allowance of \$1,000 per annum for clerk's hire in the Auditor's office, and \$500 per annum to the Treasurer, to enable him to employ the services of a clerk to aid him in the performance of his duties. The difference in the phraseology of the two appropriations made by this law, is apparent at a glance, and the construction given to it by me is fully justified by the history of its passage. This difference of phraseology was noticed during the progress of the law through the Legislature, and it is well known that a motion was made to confine the appropriation to the Treasurer to whatever he might actually pay for clerk hire, and it was voted down. All the members of that Legislature with whom I conversed, spoke of the law as an appropriation to the Treasurer, to be drawn by him and used for the hire of a clerk, or not, at his pleasure. I have drawn this \$500 per annum from the time the law went into effect, considering that it was an appropriation to the Treasurer, and that it was given to enable him, whenever he thought proper to do so, to avail himself of the services of a clerk. I did not construe the law to mean that I was to expend the \$500 for clerk hire, but to lessen my labors whenever they became too onerous, or to employ a clerk in case of sickness or inability to attend to the duties of the office. I have availed myself of the assistance of several different clerks during a pressure of business, which services were rendered for me and on my account gratuitously. I feel the proud consciousness of having discharged all my public du ties faithfully and honestly, and I have taken only what the Auditor's warrant authorized me to draw, and not one farthing more. How I should expend that \$500 per annum, I did not suppose was or could be a matter of concern to any one but myself. All that the public could ask would be the performance of all the duties of the office. This money was appropriated to me as Treasurer, to enable me to have these duties performed—in other words, to lessen my labors. If my poverty 18

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drove me to the performance of four hours extra labor a day, I supposed that it was the same as the employment of a clerk for four hours a day. At all events I know I acted honestly, believing that I was claiming nothing but what the law gave me in the plainest language. It would be painful to me to hold this money, if my right to do so was the subject of an honest doubt. I feel all the pride which an upright custodian of the public treasure ought to possess in a pure and spotless integrity, and I have therefore deposited the whole amount I have received under the law in the hands of the Auditor, amounting to \$906 94, subject either to the decision of the Legislature or the Attorney General of the State, as the LegIslature may determine, as to my right to hold it. Very respectfully,
R. C. WINTERSMITH.

On motion of Mr. Hogan-

Ordered, That said communication be referred to the committee on Public Offices:

Mr. Sudduth, from the committee on Public Offices, made the following report, viz:

The joint committee of the Senate of the Kentucky Legislature would respectfully report—that they, in conjunction with the committee of the House of Representatives, have examined the office of the Register of the Land Office of Kentucky. They find, that within the past year, the Land Office has been re-organized by the present Register, its papers chronologically arranged, placed in new and appropriate envelopes, and that the general condition of the office is now such, that its business is now greatly facilitated. Much, however, yet remains to be done to enable the Register properly to discharge the duties required of him by law, and which cannot be done without some action by the Legislature. There are, as we are informed, now on file in the Land Office more than 300,000 papers, on which titles from the State of Kentucky are founded. Of this number 103,888 are plats and certificates of surveys, and of that number 65,710 are not recorded. The preservation of these plats and certificates is all important to the landed interest of the country, they being the basis of title, and in cases of variance between the patent and survey the latter governs. Those familiar with land litigation in Kentucky know that discrepancies between patents and surveys are frequently discovered, and how often, in questions of boundary or title, the calls, courses or distances of the patent are corrected by those of the original survey. In case of the loss, destruction or defacement of the original an office copy stands in their place. From the frequent handling of these papers in making examinations or copies, they are very liable to defacement, and they may be lost or destroyed. The Legislature of Kentucky, in view of their great importance and the danger of their loss, destruction or defacement, passed an act many years ago, requiring the Register to record these plats and certificates of surveys, which law is still in force. See Littell's laws of Kentucky, vol. 1, page 415. But this law has not been complied with for near 40 years. This fact accounts for the vast accumulation of unrecorded plats and

certificates in the Land Office, and it need hardly be said that the present Register, with the number of clerks in his office is unable to record them. Indeed, the clerks he has are barely sufficient to keep up the current business of the office. Your committee, therefore, recommend that an adequate appropriation be made to have these plats and certificates recorded, and if that should be refused, then they recommend, as an act of justice to the Register, that the law requiring them to be recorded be repealed. But of even greater importance, in the opinion of your committee, is the making of a cross alphabet to all the plats and certificates in the Land Office. The custom of the office has always been, (but by what authority is unknown to your committee,) on receipt of a certificate of survey which has been assigned, to erase the name of the person for whom the survey was made and to substitute that of the assignee, and it is registered in the name of the latter, without reference to the former, and so passes into grant. When a title comes into controversy in the courts, and it becomes necessary to trace it up, the name of the person for whom the survey was made is first ascertained, and the name with a copy of description of the survey obtained from the office of the county surveyor, is sent to the Land Office, but the same having been assigned all trace of it is lost. Without cross alphabets we think no search can be instituted with the certainty of success. When there were but few papers in the office, searches although tedious in all cases, might have been successful, but since the great accumulation of papers, in many cases search would be almost idle. Every portion of the country is interested in having cross alphabets, but especially that section where titles are derived chiefly from head right or receiver's certificates, Land Office warrants, or County Court orders. If the Register had these cross alphabets the work could be accomplished with promptness and precission. Your committee, therefore, recommend that whether an appropriation for recording the unrecorded plats and certificates of surveys now in his office be made or not, that he be allowed another clerk, at an adequate salary to enable him to have the cross alphabets made. We consider the cross alphabets as indispensable to the interests of those owning lands in Kentucky, the titles of which are based upon papers in the Land Office. If those papers were secured from destruction by a proper fire proof repository, probably their recordation might be dispensed with, but we regard their present condition as unsecure and hazardous to the landed interests of Kentucky.

Your committee were not aware, until after a personal examination, of labor necessary to keep up the business of the land office. If any one supposes that its labors are light, or that it is merely a depository of useless and antiquated papers, they are mistaken. The business of the office has been increasing for fifteen years past, and within the last three years it has increased very largely. As an instance of the great labor and business of the office, we state that in 1854 there was received 2,239 surveys; in 1855, 2,191 in County Court orders alone. The number of patents issued during the past year was 2,253, and of copies made about 400, besides a large amount of labor upon the alphabets in arrear. This is in addition to the re-organization of the office referred to in a former part of this report. The vast and regular

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the lar increase of the business of the Land Office may be accounted for in The abolition of the fee tax on the receipt into the several ways. office of plats and certificates of survey is one reason for the increase of its business; but the greatest impetus has been given to its business by the development, both by public and private enterprise, of the vast mineral wealth of the State, and the liberal appropriation of the State to a thorough geological survey. Lands considered heretofore of little or no value, which have lain idle and unentered, which are unfit for the purposes of the agriculturist on account of the physical formation, which offered no inducements to the settler, being remote from the market and the thoroughfares of busy commerce, and whose wild and rugged sides frowned defiance and contempt upon, and discouraged the energies of the industrious husbandman, have by the light of science and restless energies of enterprise, been found to contain beneath their barren and uninviting surface mines of boundless wealth, repaying with a munificent hand every expenditure made upon them, developing new channels of labor and commerce, and adding to the wealth, prosperity and dignity of the State.

There are in the Registers Office 446 volumes of books, including 82 volumes of alphabets. There are ten setts of books or records in which surveys are registered with their appropriate alphabets. Of course the Register must have a thorough knowledge of each to enable him to make any intelligent examination. Lands in the same section of the State, as for instance, South of Green river, from its head waters to Cumberland Gap, thence to the mouth of Tennessee river, were subject to entry by warrants, by Virginia military officers and soldiers in both continental and State establishments, by tellico certificates, by head right certificates, by Kentucky Land Office warrants and by County Court orders. Entries made on any of the above were regulated in quantity by the person making the same, and with no other guide than the name, locality and number of acres, and in many cases the two latter unknown, the Register is required to find the patents or any paper connected therewith. This not only shows what the labors of the office are but furnishes an additional argument for the

cross alphabet.

The correspondence of the Land Office is very large, much larger than your committee had any idea of. Your committee, in view of the amount and character of the labor necessarily performed by the Register of the Land Office, the great importance of having a faithful and competent officer to perform the duties of an office so important as is the Land Office of Kentucky, recommend that the salary of the Register at present only \$1,250 be raised to \$1,700.

Your committee further recommend that the Register be allowed to apportion the salaries of the clerks, as they think it would be for the

public good to place that power in his hands.

In the opinion of your committee, the present Register is not at all responsible for the arrears of the business of the Land Office. The neglect which has caused it occurred long before he came into it. We would not do justice to Mr. McKinley, the Register, nor to our own feelings, were we to close this report without bearing our testimony to the ability, fidelity and efficiency with which the duties of his office

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are discharged by him. We have found Mr. McKinley a most accomplished officer, and we hereby acknowledge our indebtedness to him for the information with which he has furnished, and the politeness received at his hands.

JAMES SUDDUTH,
W. C. GILLIS,
Of the Senate.
JOHN K. GOODLOE,
I. N. CLEMENT,
WM. J. BERRY,
G. P. JOLLY,
Of the House of Representatives.

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

Mr. Bullock, from the committee on the Judiciary, reported the following bills, viz:

A bill to amend the charter of the Maysville, Washington, Paris and Lexington Turnpike Road Company.

 Λ bill to amend an act creating a sinking fund for the county of Mason.

A bill for the benefit of the Sheriff of Harrison county.

A bill for the benefit of the Circuit Court Clerk of Harrison county. Which were read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bullock, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to provide a police system for part of Kenton county, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Bullock, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Robert P. Pepper, of Woodford county, reported the same without amendment.

Ordered, That said bill be read third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill and it was decided in the affirmative.

The year and nays being required thereon, by Messrs. Walton and Hogan, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain, William C. Bullock, Jesse W. Burton, T. W. W. DeCourcey, David Irvine, Tucker Woodson, William C. Gillis, John Q. A. King, George Wright-17. Sylvester Harris,

Wiley S. Hay, Samuel Howard, William Howell,

D. Howard Smith, Shelby Stone. D. K. Weis, George W. Silvertooth,

Those who voted in the negative, were—

John S. Barlow. James F. Buckner. Nathaniel W. Collins, John P. Martin, William L. Conklin, James D. Hardin, James D. Headley.

Overton P. Hogan, Charles Ripley. Theodore Kohlhass. Daniel Matthewson, John S. McFarland, John Williams—16.

James Sudduth. W. H. Wadsworth. C. J. Walton,

Resolved. That the title of said bill be as aforesaid.

The Senate again resumed the consideration of a bill to amend the 1st section, article 17, chapter 28 of Revised Statutes, entitled, penal offenses and punishments.

Which bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the first clause of the first section, of article seventeenth, chapter twenty-eight of the Revised Statutes, entitled, penal offenses and punishments, be so amended as to read as follows: It any person shall, in a sudden affray or in sudden heat and passion, without malice and not in self-defense, shoot and wound another person, with a gun or other instrument, loaded with ball or other hard substance, without killing such person or shall in like manner cut, thrust, or stab any other person with a knife, dirk, sword, or other deadley weapon, without killing such person, he shall be guilty of a misdemeanor, and fined in the discretion of the jury not more than five hundred dollars or imprisoned in the county jail not less than six months nor more than one year, or both so fined at the discretion of the jury.

§ 2. This act shall take effect from its passage.

And the question being taken on the passage of the bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Hogan and Gilliss, were as follows, viz:

Those who voted in the affirmative, were-

John S. Barlow, Robert Blain. William C. Bullock, Jesse W. Burton, William L. Conklin, George T. Edwards, John Q. A. King, William T. Haggin, James D. Hardin,

Sylvester Harris, James D. Headley, Samuel Howard, William Howell, David Irvine, John P. Martin,

Charles Ripley, D. Howard Smith, Shelby Stone, James Sudduth, D. K. Weis, John Williams, George Wright-22.

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Those who voted in the negative, were-

James F. Buckner, Overton P. Hogan,
Nathaniel W. Collins,
William C. Gillis,
Wiley S. Hay,
Overton P. Hogan,
Theodore Kohlhass,
Daniel Matthewson,
John S. McFarland,
Tucker Woodson—12.

Resolved, That the title be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Martin—1. A bill establishing a voting place at Hampton's Mill in Morgan county.

On motion of Mr. Conklin—2. A bill to amend the common school law as to require the Superintendent to keep his office at the seat of government.

Ordered, That the committee on the Judiciary prepare and bring in the 1st.; and the committee on Education the 2d.

Mr. Bullock, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled, an act to amend the charter of the city of Covington, reported the same with an amendment.

After some discussion had thereon, the hour of 12 o'clock arrived, when the Senate proceeded to the orders of the day.

The Senate then took up for consideration the bill to establish the People's Bank of Kentucky.

The said bill was then amended, and as amended, reads as follows,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That there shall be, and is hereby established, in the town of Bowlinggreen, Warren county, Kentucky, a bank by the name of "The People's Bank of Kentucky," with a capital stock of two hundred and fifty thousand dollars, to be divided into shares of one hundred dollars each, and subscribed and paid for by individuals, companies, or corporations in the manner hereinafter specified; which subscribers, shareholders, their successors and assigns, shall be, and are hereby, created a body politic and corporate, by the name and style of the president, directors, and company of the People's Bank of Kentucky, and shall so continue until the 1st day of January, 1886; and by that name shall be competent to contract and be contracted with, to sue and be sued, plead and be impleaded, defend and be defended, in all courts or places, and in all matters whatsoever, as natural persons, with full power and authority to acquire, hold, posses, use, occupy, and enjoy, and the same to sell, convey, and dispose of all such real estate, goods, effects, and chattels, as shall be necessary and convenient, for the transaction of its business, or which may be conveyed to said bank as collateral securiity for, or received in payment of, any debt which may become due or owing to the same, or which may be conveyed or purchased, in satisfaction of any judgment of a court of law, or any order or decree of equity in their favor; and may have and use a common seal, and alter, change, or renew the same at pleasure; and may make, ordain, and 1

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establish, and put in execution, such by-laws, ordinances, rules, and regulations, as may be necessary and proper for the good government of said bank, and the prudent and efficient management of its affairs: *Provided*, The same shall not be in any wise contrary to the constitution and laws of this state or of the United States.

§ 2. That said bank shall have and keep an office of discount and deposit in the town of Bowlinggreen, Warren county, Kentucky, and at no other place, where its banking business shall be transacted, and its books of accounts, journals, and records shall be kept; and it shall be lawful for said bank to loan money, deal in exchange, and to discount bills of exchange, promissory notes and other negotiable paper, for the payment of a certain sum of money: Provided, That said bank shall not charge any rate of discount greater than six per cent. per annum: Provided, however, Said bank shall at no time charge a greater rate of exchange than the half of one per cent. on bills made payable in the State, nor more than one per cent. exchange on bills made payable out of the State: Provided, further, That this bank shall not at any time buy or deal in that description of bills known by the name of Kites; and should the officers of said bank, under any pretense whatever do so, knowing them at the time to be such, said bill shall be void and not collectable by law or otherwise, and the bank shall be subject to all the other penalties affixed by this charter for a violation of the same; also, to issue bills or bank notes, payable to bearer on demand, at its office of discount and deposit; also, to draw and issue post notes, bills of exchange, on individuals, companies, or corporations, payable to order, and at such place and time as the directors, for the time being, may deem expedient: Provided, That it shall not be lawful for said bank to issue any bill or bank note, payable to bearer, of a less denomination than one dollar. The promissory notes made payable to any person or persons, and negotiable and payable at the Peoples' Bank of Kentucky, and indorsed to, and discounted by said bank, shall be and they are hereby placed on the same footing as foreign bills of exchange, so that the like remedy may be had jointly or severally, against the drawer or drawers, and indorser and indorsers, and with like effect, except as to damages, and except that in a regular course of administration they shall have no other, or greater dignity, or priority of payment, than any other promissory notes. The bank shall not directly or indirectly deal or trade in anything except bills of exchance, gold or silver bullion, or in the sale of goods and chattels, rights and credits, really and truly pledged for money lent, and not redeemed in due time, or goods which shall be the proceeds of its lands.

§ 3. That said bank shall not at any time owe, whether by bond, bill, note or other contract, an amount exceeding twice the amount of capital stock paid in, exclusive of sums due on deposit. That said bank shall not, at any time, suspend, fail or refuse payment, in gold or silver, of any of its notes, bills or other obligation, due and payable, or any moneys received on deposit; and in case the officers, at the office of discount and deposit of said bank, shall fail, refuse or unreasonably delay payment, in gold or silver, of any note or bill of said bank, there presented for payment during usual banking hours, or the payment of any money previously deposited therein, and there demanded by any

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person or persons entitled to receive the payment of the same, said bank shall be liable to pay as additional damages, at the rate of twelve per cent. per annum, on the amount thereof, from the time of such failure, refusal or delay, until the payment thereof; and for such failure, or refusal, as well as for a violation of any of the provisions of this charter, the same shall be forfeited, by a scire facias sued out in the name of the commonwealth of Kentneky, on the motion of the attorney for the commonwealth, or attorney general, and such proceedings had, as to declare such forfeiture, by the judgment of the court; and from and after the rendition of such judgment of the forfeiture, said corporation shall cease to exercise any of the powers or privileges granted in this charter, provided that such forfeiture shall not be so construed as to prevent said bank from suing and being sued, and continuing said corporation, for the purpose of closing its concerns, and from making all contracts that may be necessary and proper for that pur-

pose.

§ 4. That the business, property, and management of said bank shall be under the direction and control of five directors, who shall be stockholders three months previous to the election, after the first election; after the first election they shall be elected annually on the first Monday in October, by the stockholders, at such time of the day, and at such place in the town of Bowlinggreen, as the president and directors for the time being may prescribe. They shall hold their offices for twelve months, and until their successors are duly qualified; and notice of every such election shall be published in a newspaper printed in the town of Bowlinggreen, for at least sixty days next preceding the same; and shall be by ballot, and plurality of votes, by and under the inspection of three stockholders under oath, and previously appointed by the president for that purpose. At every election and meeting of the stockholders, held under the provisions of this charter, each and every shareholder shall be entitled to one vote for each and every share he may hold in his own right—which vote may be cast in person or by proxy. And after the first election, no share shall confer the right of suffrage which shall not have been held by the then owner thereof, and so appear on the books of said bank, at least two calendar months previous to the election. And no director of any other bank in this commonwealth shall be eligible to the office of director to this bank. And if it shall so happen that an election of directors shall not be made on any day when by this act it ought to have been made, the corporation shall not for that cause be dissolved, but it shall be lawful for the stockholders to make an election of directors on any other day that may be designated by their by-laws. And if the president or cashier shall fail or become insolvent after his election or appointment, he shall thereby become incapable to serve in that capacity, and his place shall be supplied in the manner prescribed in the fifth section of this act. Nor shall any person who may have failed in business hold the office of president or cashier, unless he has paid off the debts for which he failed, or obtains an acquittal or discharge from such debts.

§ 5. That the directors chosen under the provisions of this charter, shall as soon as may be, after the first and every annual election, elect a president from their own body, who shall preside at the board until

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his successor is appointed and qualified, and in case of death, absence, or resignation of the president, the board shall choose a president pro tempore, and shall fill all vacancies which may occur in their own body during the time for which they may have been elected, and appoint a cashier and subordinate officers, clerks, agents and servants of said bank, fix their compensation, define their powers, and prescribe their duties; and shall require of them such bonds and in such penalties, and with such conditions and sureties as they shall deem right, the same to be altered or amended, and additional security demanded, whenever the directory may think it expedient and proper. The president and directors shall from time to time make such by-laws, rules and regulations for their own government, and for the management and disposition of the property, funds, and business of the bank and all matters appertaining thereto, which they may judge expedient, not contrary to the provisions of this charter, and the by-laws, rules, and regulations which the stockholders may from time to time prescribe at their meetings. They may hold stated meetings at least once a week, or on such day as they may from time to time designate, and at such other times as the president may require. And a majority shall constitute a quorum, and shall be competent to the transaction of any business within the scope of their powers. They shall, on the first Mondays of January and July annually, make and declare such dividends resulting from the profits of said bank, and cause such dividends to be paid on demand, to the stockholders: Provided, That no dividend shall be declared on the capital stock of this bank until the stock subscribed is fully paid, nor until the surplus profits of the bank shall exceed the sum of twenty thousand dollars; and that no dividend shall at any time be declared that will reduce the contingent fund below ten thousand dollars. The cashier of said bank shall, on the first day of May in each year, after the bank commences business, pay into the treasury of the State fifty cents on each share of the capital stock held and paid for, which shall be in full of all tax or bonus on said bank; which tax shall be transferred to and constitute a part of the common school fund. And if the president and directors of said bank shall, at any time, make any dividend of the profits or other property of the bank, by which the capital stock thereof shall in any wise be lessened or impaired, or shall, by any neglect of duty, cause any loss or deficiency of the capital stock of the bank, the directors consenting thereto, or guilty of such mismanagement or neglect of duty, shall be jointly or severally liable in their individual capacities to any stockholder who may be injured thereby; and the president and each and every director shall be deemed to have consented to such dividend, and been guilty of such mismanagement or neglect, unless he shall forthwith give notice of his dissent thereto, and have the same entered on the books of the

§ 6. That if the cashier or any of the officers, agents or servants of said corporation, shall embezzle, and without authority from the president and directors of said bank, appropriate any of the funds of said corporation to his own use, with intent to cheat and defraud the president, directors and company of said bank, or shall fail to make correct entries or shall make false entries on the books of said bank, with the

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intent to defraud said bank or any other person whatever, said officer. agent or servant, shall be held and deemed guilty of felony; and shall upon conviction thereof, be sentenced to confinement in the jail and penitentiary of the State, for not more than twenty years. And it shall be the duty of the president and directors, and they are hereby required as often as once in each month, to cause a strict examination to be made of the accounts of the cashier, and a full and complete settlement thereof, and the same entered on the journals of the proceedings of the board. It shall not be lawful for the cashier or other subordinate officer, clerk or teller of said bank, to engage in, or carry on any other business than that of said bank, without the especial license of the president and directors, under the penalty of one thousand dollars, to be recovered in the corporate name, and for the use of said bank; nor shall the cashier, or other subordinate officer, clerk or teller, become indebted to said bank, either as borrower, indorser or surety: nor shall they be permitted to vote as agent or proxy of stockholders, at any election of directors.

57. That the president and directors of said bank shall, during the first week of the session of each Legislature, transmit to the Auditor of State, a full and accurate statement of the condition of the bank, as it existed on the first day of the preceding month, which statement shall specify the amount of capital stock paid in, and the value of the real estate belonging to the same, together with its cost, the amount of stock, (if any.) subscribed and not paid for; the total amount of debts due to and from said bank; the amount of specie on hand, the money deposited, of bills in circulation, of bills on hand on solvent banks incorporated by this State, and by each of the other States, or United States, the number of notes in circulation, of each denomination issued by the bank, the rate and amount of each dividend of profits made by the bank, with the amount of surplus or contingent fund of said bank; which statement shall be laid before the Legislature at its then session, and the auditor shall cause the same to be published, at the expense of the bank, in a public newspaper printed at the seat of government, and one printed in the town of Bowlinggreen.

§ 8. That said president and directors shall keep a record and journal of all of their proceedings, which they shall exhibit to the stockholders at any regular meeting, and shall always be subject to the inspection of any three stockholders, and the books, papers, correspondence, and funds of said bank, shall, at all times, be subject to the inspection of the board of directors, or any member thereof.

§ 9. That the certificates of deposit, bills, notes, bills of exchange, post notes, or orders of said bank, signed by the president, and countersigned by the cashier, promising or directing the payment of money, to any person or persons, or order or to bearer, shall be obligatory on said bank, though not under the seal thereof; and all such bills, notes, or orders, payable to order, shall be transferable and negotiable by indorsement, and those payable to bearer on delivery. That the shares of the capital stock of said bank, shall be considered and held in law as personal property, and assignable and transferable only, as the president and directors shall prescribe. It shall not be lawful for the corporation hereby created, either directly or indirectly, to use or employ

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any of its capital stock, money, funds, or effects, in trade or business of buying and selling goods, wares, and merchandise, in any way and manner whatever, save as provided for in section first.

§ 10. That said bank shall not contract for, or receive a greater rate of interest than at the rate of six per centum per annum, for the loan or forbearance of money; and interest on promissory notes, negotiable and payable at said bank, and there discounted, shall be calculated on the true time such notes have to run, including three days grace, and shall be paid in advance and on banking principles, in conformity with Rowlett's tables of discount and interest.

§ 11. That a general meeting of the stockholders of said bank shall be held in the town of Bowlinggreen, on the first Monday in October in each year, at the time and place of holding the election for directors, to which meeting the directors for the year immediately preceding shall present a full and accurate statement of the condition and affairs of said bank, and of the surplus and contingent fund, (if any.) arising from the profits thereof, after deducting losses and dividends; and general meetings of the stockholders may be held in Bowlinggreen at any other time when ordered by the president and directors, or by any number of stockholders their by-laws may prescribe.

§ 12. That J. C. Wilkins, J. T. Donaldson, William Gladish, H. C. Atchison, Richard Curd, Charles McKiney, P. J. Potter, A. G. Hobson, John Wardlow, Peyton Cook and E. D. Payne are hereby constituted and appointed commissioners, to open books and receive subscriptions for the capital stock of said bank, and to superintend the election of the first board of directors thereof, any six of whom shall be competent to exercise the powers and perform the duties required of them by this act; they shall have power, and are hereby directed, on the first Monday in June, 1856, having given not less than thirty days notice thereof, in a newspaper printed in Bowlinggreen, to open books at some suitable place in the town of Bowlinggreen for the subscription of the capital stock of said bank, and cause said books to be kept open four hours each day, for at least thirty days, or until one thousand shares of the capital stock is subscribed. If the whole of the two thousand five hundred shares of capital stock shall not be taken when the books of subscription shall first be opened by the commissioners. The president and directors shall open the books from time to time and at such times as they may determine: Provided, they shall open the books for subscription at least once in every ninety days thereafter, giving thirty days notice thereof, and cause them to be kept open, if they choose, until the whole or any part of the residue of the capital stock shall be subscribed; and the president and directors may require premium on the stock sold at the re-opening of books, and such premium shall be the property of the bank: Provided, said premium shall not exceed 6 per cent. per annum on said stock, and if there are more than two thousand five hundred shares subscribed, when the books are thus opened by the commissioners, or the president and directors, the largest subscriptions shall be curtailed to reduce the number of shares to two thousand five hundred: Provided, that no subscription shall be curtailed below ten shares.

§ 13. When not less than one thousand shares of the capital stock

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shall have been taken or subscribed, and the commissioners shall have closed the books, it shall be their duty to give notice, in some newspaper printed in Bowlinggreen, naming a day and place in said town of Bowlinggreen, for the election of the first board of directors for said bank, who shall hold their offices until the next succeeding annual election. And not less than thirty days notice shall be given of the time and place of holding the election. Any three or more of said commissioners shall act as inspectors of the election, after being duly qualified, and perform all the duties of inspectors of elections in like

§ 14. That the payment of shares of said capital stock shall be made in gold and silver, and at the times and in the manner following, viz: Five dollars on each share to the commissioners at the time of subscribing, and five dollars on each share within ten days after the election of the first board of directors, and ten dollars on each share within sixty days thereafter, and the residue in such installments as the president and directors may require. But any shareholder may, at his option, pay the full amount of his subscription before required by the directory; and where any share of stock shall be fully paid, the president and directors shall issue scrip to the owner thereof, in such form as the stockholders shall have prescribed. Should any subscriber fail to make the second payment on such share required by this act, such subscriber shall forfeit to the said company the sum unpaid; and such share thereafter shall be liable to be re-sold by the president and directors, as other unsubscribed stock. And if there should be a failure in any of the subsequent payments for any of the capital stock, he or they shall forfeit the amount unpaid, and his share shall be liable to be re-sold.

§ 15. That the president, directors, cashier, teller and clerk, previous to their entering on the duties of their several offices shall take an oath before some justice of the peace of Warren county, Kentucky, faithfully and honestly to discharge the duties of their several offices and stations, created by this charter, or which may be required by the by-laws of said corporation; and furthermore, that they will not, during their continuance in office, sanction or permit any of the provisions of this charter to be violated, if in their power to prevent it.

§ 16. That no one person, in their own name and for themselves, shall have the right to subscribe for more than one hundred shares of the capital stock of this bank. And, for the greater security of the creditors and bill-holders of the Peoples' bank of Kentucky, the stockholders are hereby declared liable and responsible in their individual and private capacity to an amount equal to the amount of stock they may own in said bank, and so soon as the property, valuables and effects of the corporation has been exhausted, and not before, may be proceeded against by creditors or holders of the bills of said bank, in any court of equity in this commonwealth; and that no stockholder shall pay any debt he may owe the bank by a surrender of his stock to the bank, until all the corporate debts are paid; and stockholders shall be compelled to pay their indebtedness to said bank as other debtors.

§ 17. That it shall not be lawful for said bank to issue any note, bill,

or to loan money after it shall have refused or failed to redeem its issues in specie; and if the said institution shall presume to do so, the bond, note or other instrument of promise made to said bank in con-

sideration of such negotiation, shall be utterly void.

§ 18. That so soon as five directors shall have been elected by the stockholders, under the superintendence of the commissioners, as prescribed in section thirteen of this act, and said directors being fully qualified, they shall receive the books of subscription of stock, properly certified by said commissioners, with the amount paid upon the stock subscribed, which amount of stock subscribed, and the number and amount of installments paid in shall be published in a paper in the town of Bowlinggreen, at which time, and not before, this bank shall be, and is hereby legally authorized to commence its business.

§ 19. That at no one time shall there be a greater amount than thirtythree and a third per cent. of the funds of this bank employed in dealing in foreign or domestic bills of exchange, and that two-thirds shall be used in dealing in negotiable and accommonation paper, indorsed

and properly secured.

§ 20. The Legislature reserves the right to so amend this charter as to restrict its issues to bills of the denomination of not less than five

§ 21. That nothing herein contained shall prevent the stockholders from electing two additional directors, if they deem it expedient or best for the interest of this body politic and corporate, and when elected performing the duties of their office as other directors.

§ 22. That this act shall take effect from and after its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill be ing dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Hogan and Walton, were as follows, viz:

Those who voted in the affirmative, were-

William C. Bullock, James D. Hardin, Jesse W. Burton, Nathaniel W. Collins, Wiley S. Hay, William L. Conklin, T. W. W. DeCourcey, William Howell, William C. Gillis, William T. Haggin,

Sylvester Harris, Samuel Howard, John Q. A. King, John S. McFarland,

Shelby Stone, James Sudduth, C. J. Walton, D. K. Weis, John Williams Tucker Woodson, George Wright-21.

Those who voted in the negative, were-

John S. Barlow. James F. Buckner, Overton P. Hogan,

David Irvine, Theodore Kohlhass, George T. Edwards, John P. Martin, James D. Headley, Daniel Matthewson,

Charles Ripley, George W. Silvertooth. D. Howard Smith, W. H. Wadsworth-13.

Resolved, That the title thereof be as aforesoid.

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The Senate again resumed the consideration of the resolutions proposed by Mr. Barlow, on the 3d inst., and the substitute proposed therefor by Mr. Conklin, from the committee on Federal Relations, and after some discussion had thereon,

The Senate adjourned, and applications and adjourned and applications sprided in section thirteen of this set, and said directors being fally

three and a third per cent, of the funds of this bank cusployed in dat. THURSDAY, JANUARY 31, 1856.

abigribed, which amount of stock subscribed, and the number and smount of installments paid in shall be published in a paper in the town of Bowlinggreen, at which time, and not before, this bank algali

or and is hereby legally authorized to commence its business.

Mr. Silvertooth presented the petition of sundry citizens of Fulton county, praying that Harriet, a free woman of color, may live in this

Which was received, the readings dispensed with and referred to the committee on the Judiciary.

Leave was given to bring in the following bills, viz:

On motion of Mr. Barlow-1. A bill to amend the Glasgow and Scottsville Turnpike Road Company.

On motion of Mr. McFarland-2. A bill to amend the Wolf Hill Coal and Mining Company.

On motion of same-3. A bill to amend the charter of the Owensboro and Wolf Hill Railroad Company.

On motion of Mr. Blain-4. A bill to charter the Clear Creek and Dicks River Turnpike Road Company.

On motion of Mr. Silvertooth-5. A bill for the benefit of A. H. Thompson, of Fulton county. All all at baser oder should

On motion of Mr. Gilliss-6. A bill for the benefit of William H. McNew, of Floyd county.

On motion of Mr. Burton-7. A bill for the benefit of certain school districts in the counties of Boyle and Mercer.

On motion of Mr. Burton-8. A bill to incorporate the Bank of Milton. present ognet) - busine folf it odel i myanti I meille

On motion of Mr. Sudduth-9. A bill to authorize Justices of Morgan county to take depositions.

On motion of Mr. Gilliss-10. A bill for the benefit of Addison Williams, late Circuit and County Court Clerk of Whitley county.

On motion of Mr. Kohlhass-11. A bill to change the boundary line of certain election districts in Clark county. Breited, That the title thereof be as aforesoid

On motion of Mr. Ripley-12. A bill to amend the law in relation to liens on steamboats.

Ordered, That the committee on Internal Improvement prepare and bring in the 1st, 3d and 4th; the committee on Agriculture and Manufactures the 2d; Messrs. Silvertooth, King and DeCourcey the 5th; the committee on the Judiciary the 6th and 12th; the committee on Education the 7th; the committee on Banks the 8th; the committee on Circuit Courts the 9th; Messrs. Gillis, Sudduth and Haggin the 10th; and the committee on Privileges and Elections the 11th.

A message was received from the House of Representatives, announcing their concurrence in the second amendment of the Senate, to a bill from that House, entitled, an act to amend an act, entitled, an act to incorporate the Peach Orchard Coal Company.

That they had passed a bill, entitled, an act to provide against the demoralization of slaves.

And resolutions in relation to appropriating a room in the capital to the use of the State Geologist.

Mr. Weis moved a re-consideration of the vote disagreeing to a bill from the House of Representatives, entitled, an act to provide for appointing a gate keeper and overseers on the Turnpike road in Kncx county.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be referred to the committee on Internal Improvement.

Mr. Irvine, from the committee on Enrollments, reported that the committee had examined an enrolled bill which originated in the House of Representatives, entitled,

An act to amend an act, entitled, an act to incorporate the Peach Orchard Coal Company.

Said bill having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and it was delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Irvine reported that the committee had performed that duty.

The Senate again resumed the consideration of the bill from the House of Representatives, entitled, an act to amend the charter of the city of Covington, and the amendment proposed thereto by the committee on the Judiciary.

The amendment proposed by the committee to said bill was to strike out the 2d and 3d sections of the same.

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The said sections read as follows, viz:

§ 2. Be it further enacted, That the city council of said city shall have power to levy and cause to be collected in such manner as they may deem proper, and by ordinance provide a tax on all the real estate in such portions of said city as are, or may be lighted with gas by means

of street lamps, to defray the expenses of lighting the same.

§ 3. Be it further enacted, That all the real estate in said city which fronts upon any street, alley, market space, or other open public ground within one hundred and ninety-eight feet of any intersection of such streets, or any public grounds, or within the same distance of a lamp situated on any portion of any such street, alley, market space, or other open public ground, shall be deemed to be lighted with gas, within the meaning of this act, and a lien is hereby given and reserved on the lots or parts of lots so lighted, to pay the tax for the same, and in default of payment, said lots or parts of lots may be sold for the payment of said tax by any collector authorized by said city council to make the sale under the same rules, regulations and restrictions and with the same provisions as in cases of sales to pay taxes for the improvement or repair of streets in said city.

The question was then taken on the adoption of said amendment, and

it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Buckner and DeCourcey, were as follows, viz:

Those who voted in the affirmative, were-

John S. McFarland, William T. Haggin, John S. Barlow, Charles Ripley, James D. Hardin, Robert Blain, D. Howard Smith, Sylvester Harris, James F. Buckner, James Sudduth, William C. Bullock, Wiley S. Hay, James D. Headley, W. H. Wadsworth, Jesse W. Burton, William Howell, D. K. Weis, Nathaniel W. Collins, John Williams, David Irvine, William L. Conklin, Tucker Woodson-25. Theodore Kohlhass, George T. Edwards, William C. Gillis,

Those who voted in the negative, were-

T. W. W. DeCourcey, John P. Martin, Shelby Stone, Overton P. Hogan, Samuel Howard, George W. Silvertooth, George Wright—10.

John Q. A. King,

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as

foresaid.

Mr. Bullock, from the committee on the Judiciary, to whom was referred a bill to amend the several acts in relation to peddlers, reported the same with an amendment.

Which was concurred in.

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The said bill was further amended, and as amended, was ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Buckner, from the committee on the Judiciary, to whom was referred bills from the House of Representatives of the following titles, viz:

An act to incorporate the town of Manchester.

An act for the benefit of the town of Salvisa.

An act to incorporate McKee Lodge No. 35, I. O. O. F., at Versailles, Kentucky.

Reported the same without amendment.

And the question being taken on reading said bills a third time, it was decided in the negative.

And so the said bills were disagreed to.

Mr. Buckner, from the same committee, asked to be discharged from the further consideration of a leave to bring in a bill to incorporate Ark Lodge I. O. O. F.

Which was granted.

The following bills were reported by the committee on the Judiciary, viz:

- 1. A bill to anthorize the trustees of Olivet Church to sell the church and lot upon which it stands.
 - 2. A bill for the benefit of the heirs of Jacob Watson.
- 3. A bill for the benefit of Turnpike Road Companies in Campbell county.
- 4. A bill to extend the time of surveying and registering Kentucky Land Office warrants.
 - 5. A bill for the benefit of Harriet T. Williams.

Which were read the first time, and ordered to be read a second time. The constitutional provision as to the second reading of said bills having been dispensed with—the 1st, 2d, 3d and 5th were severally ordered to be engrossed and read a third time; and the 4th was referred to the committee on the Judiciary.

The constitutional provision as to the third reading of the 1st, 2d, 3d and 5th bills having been dispensed with, and the same being engrossed,

Resolved, That said said bills do pass, and that the titles thereof be as aforesaid.

Mr. Buckner, from the committee on the Judiciary, to whom was referred the petition of Dew Drop Division, Sons of Temperance, of

Grant county, asked to be discharged from the further consideration of the same. Which was granted.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State, which is as follows, viz:

EXECUTIVE DEPARTMENT, January 31, 1856.

Gentlemen of the Senate:

I nominate for your advice and consent the following persons to be Notaries Public for the counties named:

Thos. W. Andrews, for Jefferson. Edward Cocke, for Jefferson. C. B. Cotton, for Jeffereon. Wm. E. Tabb, for Mason. Chas. A. Lyon, for Mason.
Isaac S. Greenwood, for Trimble.
Samuel Morris, for Trimble.
W. R. Kinney, for Ohio. W. E. Robinson, for Jefferson. Jeff. Brown, for Union.

C. S. MOREHEAD. The rule of the Senate requiring nominations to lie one day on the table having been dispensed with,

Resolved, That the Senate advise and consent to said appointments.

Mr. Ripley, from the committee on the Judiciary, to whom was referred bills from the House of Representatives of the following titles, viz:

1. An act to authorize the trustees of Bethel High School to sell and convey lands.

2. An act to authorize married women to convey real and other property, under power of attorney.

3. An to incorporate the German Mutual Insurance Association in Louisville.

Reported the 1st without and the 2d and 3d with amendments.

Which was concurred in.

Ordered, That said bills be read third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Ripley, from the same committee, reported a bill to regulate agencies of Foreign Insurance Companies.

Which was read the first time, and ordered to be read a second time. The constitutional provision as to the second reading of said bill having been dispensed with, and dead and address and as a second Ordered, That the Public Printer forthwith print 150 copies of said for the use of the General Assembly.

The Senate again resumed the consideration of the resolutions moved by Mr. Barlow, on the 3d inst., and the substitute proposed therefor by Mr. Conklin, from the committee on Federal Relations, on the 17th inst.

On motion of Mr. McFarland-

Ordered, That said resolutions and substitute be referred to the committee of the Whole for this day.

The Senate accordingly resolved itself into a committee of the Whole on said resolutions and substitute, Mr. McFarland in the chair, and after some time spent therein, the Speaker resumed the chair, when Mr. McFarland reported that the committee had, according to order, had under consideration the resolutions and substitute aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again.

Which was granted.

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And then the Senate adjourned.

FRIDAY, FEBRUARY 1, 1856.

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A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, viz:

An act for the benefit of Wm. J. Berry and Seth R. Mosley.

An act authorizing the school commissioners of Calloway county to enlarge New Concord school district.

That they had passed bills of the following titles, viz:

An act to amend section 16 of the Code of Practice.

An act to provide for the service of process against steamboats.

An act imposing an additional tax of three cents for the purpose of increasing the common school fund.

An act authorizing the sale and distribution of the Calloway county Seminary lands.

An act legalizing certain proceedings of the Calloway County Court.

An act to incorporate Columbia Baptist College.

An act to incorporate the Columbia Male and Female High School. An act to relieve common school districts not regularly reported.

An act to incorporate Bethel College at Russellville.

An act for the incorporation of the Philomatheon Society of Bethel College in Russellville, Kentucky.

An act to incorporate the Barren River High School.

An act for the benefit of Wm. Marshall, Jailer of Bracken county. An act for the benefit of G. P. Jolly, late Sheriff of Breckinridge

An act for the benefit of William Moody, late Sheriff of Monroe

county.

An act for the benefit of the Edmonson County Court.

An act for the benefit of John Osman, of Boone county.

The Speaker, in accordace with the joint resolution in relation to annexing part of Fulton county to the State of Tennessee, appointed Messrs. Silvertooth, King and Buckner the committee on the part of the Senate.

1. Mr. Weis presented the petition of the school commissioners of Lawrence county, praying the passage of a law for the benefit of school district No. 16, in said county.

2. Also, the petition of sundry citizens of Greenup county, praying

the passage of a law in aid of the Colonization Society.

3. Mr. Wright presented the petition of sundry citizens of the town of Glasgow and county of Barren, praying the passage of a law to change the manner of granting tavern licenses, &c.

4. Mr. Smith presented the petition of sundry citizens of Scott county, praying the passage of a law to prevent the unlawful assemblage

of free negroes and slaves.

5. Mr. Martin presented the petition of Wm. Mynhier, late Sheriff of Morgan county, praying the passage of a law for his benefit.

Which were received, the reading dispensed with, and referred-the 1st to the committee on Education; the 2d and 5th to the committee on Finance; the 3d to the committee on Propositions and Grievances; and the 4th to the committee on Religion.

A message was received from the Governor, which is as follows, viz:

EXECUTIVE DEPARTMENT, February 1, 1856.

Gentlemen of the Senate:

I nominate, for your advice and consent, A. H. Jameson, to be Notary Public for Kenton county. C. S. MOREHEAD.

The rule of the Senate requiring the same to lie one day on the table having been dispensed with,

Resolved, That the Senate advise and consent to said appointment.

A bill from the House of Representatives, entitled, an act imposing an additional tax of three cents for the purpose of increasing the common school fund, was read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid. It is a mount of the particulate tes

The yeas and nays being required thereon, by Messrs. Martin and Wadsworth, were as follows, viz:

Those who voted in the affirmative, were-

John S. Barlow, Robert Blain, James F. Buckner, Overton P. Hogan, Shelby Stone, William C. Bullock, Samuel Howard, James Sudduth, Jesse W. Burton, William Howell, W. H. Wadsworth, Nathaniel W. Collins, David Irvine, William L. Conklin, John Q. A. King, D. K. Weis, T. W. W. DeCourcey, Theodore Kohlhass, John Williams, James D. Hardin, Daniel Matthewson, George Wright-32. Sylvester Harris,

Wiley S. Hay, James D. Headley, D. Howard Smith, John S. McFarland,

George W. Silvertooth, C. J. Walton, William T. Haggin, John P. Martin, Tucker Woodson,

Those who voted in the negative, were-none.

Mr. Conklin, from the committee on Circuit Court, to whom was referred bills from the House of Representatives of the following titles,

An act to change the time of holding the Rockcastle Circuit Court. An act to change the time of holding the Graves and Crittenden Circuit Courts.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as

Mr. Harris, from the committee on County Courts, to whom was referred bills from the House of Representatives of the following titles,

An act to provide for increasing the county levy of Kenton county. An act to amend the laws relating to the county levy of Kenton

An act to change the time of holding the Campbell Quarterly Courts.

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An act to authorize the County Court of Spencer county to sell the poor house lands in said county.

An act to increase the jurisdiction of the Police Judge of Mon-

terey, in Owen county.

An act to ratify the sale made by the Marion County Court of the poor house and farm.

An act to change the time of holding the Crittenden Quarterly

An act to amend an act authorizing the citizens of Brandenburg to elect a Police Judge and Marshal.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as

aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on the Judiciary-1. A bill relating to the late

keeper of the Penitentiary.

By the committee on County Courts-2. A bill to change the time of holding the February and August terms of the McCracken County and Quarterly Courts.

By same-3. A bill in relation to the seminary fund of McCracken

county. By same-4. A bill to authorize the County Court of Madison to sell the poor house land in said county.

By same-5. A bill authorizing the County Court of Larue to sell

the poor house and lands of said county.

By same-6. A bill to incorporate Kenton Lodge No. 24, I. O. mainly the terral and all of his O. F.

By same-7. A bill to incorporate Olive Branch Encampment No. 6, I. O. O. F.

By same—8. A bill to restore attorney's fees in Quarterly Courts.

Which were read the first time, and ordered to be read a second time. To the and the common manager and the common

The constitutional provision as to the second reading of said bills having been dispensed with, the 1st was made the special order of the day for the 7st inst.; the 2d, 3d, 4th, 5th, 6th and 7th were severally ordered to be engrossed and read a third time; and the 8th was referred to the committee on County Courts.

The constitutional provision as to the third reading of the 2d, 3d,

4th, 5th, 6th and 7th bill having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the Public Printer forthwith print 150 copies of the 1st bill for the use of the General Assembly.

On motion of Mr. Woodson-

Ordered, That a message be sent to the House of Representatives, asking leave to withdraw the report of the Senate announcing their disagreement to a bill from the House of Representatives, entitled, an act to incorporate McKee Lodge, No. 35, I. O. O. F., at Versailles, Kentucky.

After a short time the messenger returned with the said bill.

Mr. Blain, from the committee on Propositions and Grievances, to whom was referred the petition of sundry citizens of Owensboro, and the petition of sundry citizens of the counties of Letcher and Floyd, asked to be discharged from the further consideration thereof.

Which was granted.

Mr. Kohlhass, from the committee on Internal Improvement, to whom was referred a bill to amend the charter of the Covington and Lexington and Lexington and Danville Railroad Company, reported the same with an amendment.

Which was concurred in.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Kohlhass, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to amend the charter of the Louisville and Frankfort Railroad Company, reported the same without amendment.

The said bill was then amended.

Mr. Bullock proposed an amendment to said bill, and after some discussion had thereon, the hour of 12 o'clock arrived, when the Senate proceeded to the orders of the day.

The Senate again resolved itself into a committee of the Whole on the resolutions of Mr. Barlow, on the 3d January, and the substitute proposed therefor by Mr. Conklin, from the committee on Federal Relations, on the 17th January, Mr. McFarland in the chair, and after some time spent therein, the Speaker resumed the chair, when Mr. McFarland reported that the committee had, according to order, had

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under consideration the resolutions and substitute aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again.

Which was granted.

And then the Senate adjourned.

SATURDAY, FEBRUARY 2, 1856.

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A message was received from the House of Representatives, announcing that they had passed bills of the following titles, to-wit:

An act to change the boundary line between the counties of Shelby and Oldham.

An act to take the sense of the people of Knox county as to the pro-

priety of removing the county seat thereof.

And had received official information from the Governor, that he had approved and signed a bill which originated in the House of Representatives, entitled,

An act to amend an act, entitled, an act to incorporate the Peach

Orchard Coal Company. Approved January 31, 1856.

The Speaker laid before the Senate the annual report of the Institution for the education of the Blind.

[For Report—see Legislative Documents.]

Ordered, That the Public Printer print 150 copies of said report for the use of the members of the General Assembly. And also, 1500 copies for the use of said Institution.

1. Mr. Wadsworth presented the petition of sundry citizens of Mason county, praying the passage of a law to prevent seining and netting of every description in the North Fork of Licking river, so far as the same is in Mason county.

2. Mr. McFarland presented the petition of the trustees of Owens-

boro, praying an amendment to the charter of said town.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Internal Improvement; and the 2d to the committee on the Judiciary.

Mr. Smith moved the following resolution, viz:

Resolved, That the committee on Code of Practice be instructed to inquire into the expediency of so amending the Code of Civil Practice,

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as to authorize a party defendant, in actions for the recovery of real estate, who disclaiming title upon the record, and makes affidavit of his not being interested in the subject matter and issue of the suit so far as the recovery of possession and title is concerned, to be rendered competent as a witness for his co-defendants, upon the probable costs being deposited or secured, and in such case if mesne profits or damages are sued for, that the trial of the latter question be postponed until the former is tried. And said committee is directed to report by bill or otherwise.

Which was adopted.

The Speaker laid before the Senate the response of the Public Printer to a resolution proposed by Mr. Walton on the 28th inst.

[For Response—see Legislative Documents.]

Ordered, That the Public Printer forthwith print 150 copies of said response for the use of the members of the General Assembly.

Mr. Bullock moved a re-consideration of the vote disagreeing to a bill from the House of Representatives, entitled, an act to incorporate McKee Lodge No. 35, I. O. O. F., at Versailles, Ky.

And the question being taken thereon, it was decided in the affirmative

The question was again taken on the passage of said bill and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

Mr. Kohlhass, from the committee on Internal Improvement, to whom was referred bills from the House of Representatives of the following titles, viz:

An act to declaring Wolf creek, in Lawrence county, a navigable stream.

An act to give further power to the Jessamine County Court.

Reported the same without amendment.

The constitutional provision as to the third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Kohlhass, from the same committee, to whom was referred a bill to incorporate the Barren County Railroad Company, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitution al provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Marris-1. A bill to amend the charter of the Commercial Bank of K. entucky.

On motion of Mr. Collins—2. A bill to legalize the proceedings of the special term of the County Court of Harlan, held on the 15th of January, 1856.

On motion of Mr. Bullock-3. A bill to amend chapter 7, section 1

of the Revised Statutes.

On motion of Mr. Martin-4. A bill to charter the Eastern Bank of Kentucky.

On motion of same-5. A bill to charter the Farmers' and Miners'

Bank of Kentucky.

On motion of Mr. Ripley-6. A bill to amend article 6, charter 86 Revised Statutes, title, sale of infants' real estate.

On motion of same—7. A bill to incorporate the Commercial Insurance Company.

On motion of same-8. A bill to establish the Olivet University.

On motion of same—9. A bill for the benefit of Transylvania University, and the law library of Louisville.

On motion of Mr. Gilliss—10. A bill to charter the Williamsburg, Cumberland River and Tennessee Railroad Company.

On motion of Mr. Haggin—11. A bill to authorize the appointment of another examiner for the county of Jefferson.

On motion of same—12. A bill to amend the law fixing the compensation to Sheriffs for collection of revenue, and to prescribe other compensation therefor.

Om motion of same-13. A bill to authorize the County Court of

Jefferson to appoint another commissioner for said county.

On motion of Mr. Weis—14. A bill to prohibit assessors from listing for taxation persons remaining transiently in their respective counties.

On motion of Mr. Howell—15. A bill to charter the Hodgensville and New Haven Turnpike Company.

On motion of Mr. Hogan—16. A bill to incorporate the Kentucky Christian Education Society.

On motion of same—17. A bill for the benefit of the school commissioners of Owen county.

On motion of same—18. A bill to authorize the clerk of the Grant County Court to transcribe the deed books in said county.

On motion of Mr. Kohlhass—19. A bill to regulate the fees of Justices of the Peace.

On motion of Mr. Blain-20. A bill to incorporate the Stanford Bank.

On motion of Mr. Conklin—21. A bill to charter the Cloverport, Litchfield and Grayson Springs Turnpike Road Company.

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On motion of Mr. King—22. A bill to authorize the railroad collector of McCracken county to appoint deputies.

On motion of Mr. Burton-23. A bill for the sale of a certain school

house and lot in Boyle county.

Ordered, That the committee on Banks prepare and bring in the 1st, 4th, 5th and 20th; the committee on County Courts the 2d, 13th, 18th, 19th and 22d; the committee on Revised Statutes the 3d, 6th, 9th and 14th; the committee on the Judiciary the 7th, 8th and 16th; the committee on Internal Improvement the 10th, 15th and 21st; the committee on the Code of Practice the 11th; the committee on Finance the 12th; and the committee on Education the 17th and 23d.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Internal Improvement—1. A bill to incorporate the Kirksville Turnpike Road in Madison county.

By same—2. A bill to incorporate the Lowell and Back Creek Turnpike Road in Garrard county.

By same—3. A bill to incorporate the Hawkins Branch Turnpike Road Company.

By the committee on Banks-4. A bill to incorporate the Bank of Milton.

By Mr. Silvertooth—5. A bill for the benefit of the Columbus Masonic Seminary.

By same-6. A bill for the benefit of A. H. Thompson, of Fulton county.

By Mr. Gilliss—7. A bill for the benefit of Addison Williams, late Circuit and County Court Clerk of Whitley county.

By Mr. Haggin—8. A bill further to regulate the duties of the commissioner of the Louisville Chancery Court.

By Mr. Ripley—9. A bill to authorize a special election in the city of Louisville.

Which were read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills having been dispensed with—the 1st, 2d, 3d, 5th, 7th, 8th and 9th were severally ordered to be engrossed and read a time; the 4th was made the special order of the day for Friday, the 8th inst.; and the 6th was referred to the committee on the Judiciary.

The constitutional provision as to the third reading of the 1st, 2d, 3d, 5th, 7th, 8th and 9th bills having been dispensed with, and same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

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Ordered, That the Public Printer forthwith print 150 copies of the 4th bill for the use of the members of the General Assembly.

Mr. Howell, from the committee on Revised Statutes, reported a bill to change the time of electing Justices and Constables.

Which was read the first time, and ordered to be read the second time.

The constitutional provision as to the second reading of said bill having been dispensed with,

Mr. Blain moved to lay said bill on the table, and the question being taken thereon, it was decided in the affirmative.

Mr. Howell, from the same committee, reported a bill to further provide for the appointment of officers of elections.

Which was read the first time, as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be the duty of the County Courts of the several counties of this commonwealth, to appoint all officers of elections equally between the political parties of the State. This act to take effect from its passage.

Ordered, That said bill be read second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Sudduth moved to lay said bill on the table, and the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Weis and Hogan, were as follows, viz:

Those who voted in the affirmative, were-

T. W. W. DeCourcey,	Shelby Stone,	C. J. Walton,
Wiley S. Hay,	James Sudduth,	John Williams—7.
Samuel Howard		A Charles & Salds Barrier

Those who voted in the negative, were-

John S. Barlow,	William C. Gillis,	Daniel Matthewson,
Robert Blain,	Sylvester Harris,	John S. McFarland,
James F. Buckner,	James D. Headley,	Charles Ripley,
William C. Bullock,	Overton P. Hogan,	George W. Silvertooth,
Jesse W. Burton,	William Howell,	D. Howard Smith,
John A. Cavan,	John Q. A. King,	W. H. Wadsworth,
Nathaniel W. Collins.	Theodore Kohlhass,	D. K. Weis,
William L. Conklin,	John P. Martin,	George Wright-25.
George T. Edwards,	The second section is a second	wideling to so that of the post of

Ordered, That said bill be referred to the committee on Revised Statutes.

The Senate took up from the orders of the day a bill to amend the laws limiting the time of commencing certain actions.

Ordered, That said bill be referred to the committee on the Judiciary.

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Mr. Barlow read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That when they adjourn on Friday, the 22d day of this month (February,) they will adjourn without day.

Mr. Burton, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate of the following titles, viz:

An act authorizing the school commissioners of Calloway county to enlarge New Concord school district.

An act to amend the road laws of this commonwealth.

An act requiring County Judges to make settlements with the trustees of the jury fund for all taxes and public moneys in their hands.

An act to incorporate the Providence Mining, Manufacturing, and Shipping Company.

An act for the benefit of Wm. J. Berry and Seth R. Mosley.

An act to incorporate the Daviess County Agricultural and Mechanical Association.

An act to authorize the County Court of McCracken county to change Gray's ferry road.

An act to authorize the McCracken County Court to increase the county levy to build a court house and jail.

And bills, which originated in the House of Representatives, of the following titles, viz:

An act to change the time of holding the Graves and Crittenden Circuit Courts.

An act to change the time of holding the Rockcastle Circuit Court. An act to authorize the County Court of Spencer county to sell the poor house lands in said county.

An act to increase the jurisdiction of the Police Judge of Monterey, in Owen county.

An act to incorporate the Southern Kentucky Fair Ground Association.

An act to incorporate the Christian County Agricultural and Mechanical Association.

An act to authorize the trustees of Bethel High School to sell and convey lands.

An act to amend the laws relating to the county levy of Kenton county.

An act to ratify the sale made by the Marion County Court of the poor house and farm.

An act to provide for increasing the county levy of Kenton county. An act to charter the Springfield Agricultural and Mechanical Association.

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An act to incorporate the Warren county Agricultural and Mechanical Association.

An act to change the time of holding the Campbell Quarterly Courts.

An act to change the time of holding the Crittenden Quarterly Court.

An act for the benefit of Robert P. Pepper, of Woodford county.

An act to provide a police system for part of Kenton county.

An act imposing an additional tax of three cents for the purpose of increasing the common school fund.

An act to amend an act authorizing the citizens of Brandenburg

to elect a Police Judge and Marshal.

And had found the same truly enrolled.

The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Burton reported that the committee had per-

formed that duty.

The Senate again resolved itself into a committee of the Whole, on the resolutions proposed by Mr. Barlow, on the 3d January, and the substitute proposed therefor by Mr. Conklin, from the committee on Federal Relations, on the 17th January, Mr. McFarland in the chair, and after some time spent therein, the Speaker resumed the chair, when Mr. McFarland reported that the committee had, according to order had under consideration the resolutions and substitute aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again.

Which was granted.

And then the Senate adjourned.

MONDAY, FEBRUARY 4, 1856.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

An act repealing an act extending the powers of the municipal officers of the town of Lawrenceburg.

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An act appointing trustees for the Hart county Seminary.

An act supplementary to an act, entitled, an act to incorporate the Blue Lick Hotel and Water Company, approved March 1, 1854.

An act to amend the road law of Harrison county.

An act to incorporate the Cypress Pond Draining Company.

An act declaring Blackford Creek a navigable stream.

An act to extend the limits of the town of Lewisport.

An act for the benefit of the Louisville and Nashville Railroad Company.

An act to incorporate Robinson Lodge No. 266, of Free and Accepted Ancient York Masons.

Mr. Gilliss presented the remonstrance of sundry citizens of Rock-castle against the passage of a law for the benefit of Wm. M. Smith, gate keeper on the Wilderness road in Rockcastle county.

Which was received, the reading dispensed with, and referred to the committee on Propositions and Grievances.

Leave was given to bring in the following bills, viz:

On motion of Mr. Burton—1. A bill for the sale of Franklin school house and ground.

On motion of Mr. Bullock—2. A bill to incorporate the Kentucky Female College.

On motion of Mr. Sudduth—3. A bill to provide for removing the obstructions to the navigation of Licking river.

On motion of Mr. Hardin—4. A bill to more definitely explain the laws in regard to granting licenses to taverns and merchants to retail spirituous liquors.

On motion of Mr. Williams—5. A bill establishing the Deposit Bank of Cynthiana.

On motion of Mr. Howard—6. A bill to incorporate Napoleon Lodge No. 216, of Free and Accepted Masons.

On motion of same—7. A bill to incorporate Napoleon Royal Arch Charter No. 51.

On motion of Mr. Collins—8. A bill for the benefit of certain idiots. On motion of same—9. A bill to establish an additional precinct and voting place in Perry county.

On motion of Mr. Edwards—10. A bill for the benefit of assessors and clerks.

Ordered, That the committee on Education prepare and bring in the 1st; the committee on the Judiciary the 2d; the committee on Revised Statutes the 3d, 4th and 10th; the committee on Banks the 5th; Messrs. Howard, Sudduth and King the 6th and 7th; the committee on Finance the 8th; the committee on Privileges and Elections the 9th.

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On motion of Mr. Gilliss-

Ordered, That the report of the committee on Public Offices, in relation to the Register's office, be referred to the committee on Public Offices.

Mr. Harris, from the committee on County Courts, to whom was referred a bill to restore attorneys fees in Quarterly Courts, reported the same without amendment.

On motion of Mr. Wadsworth-

Ordered, That said bill be laid on the table.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on County Courts-1. A bill to legalize the pro-

ceedings of a special term of the Harlan County Court.

By same—2. A bill authorizing the railroad collector of McCracken county to appoint one or more deputies.

By the committee on Finance—3. A bill for the benefit of Edwin Trimble, late clerk of Floyd county.

By same-4. A bill for the benefit of James Trimble, clerk of Floyd county.

By the committee on Banks—5. A bill to amend the charter of the Commercial Bank of Kentucky.

Which were read the first time, and ordered to be read a second

The constitutional provision as to the second reading of said bills having been dispensed with—the 1st, 2d, 3d, and 4th were severally ordered to be engrossed and read a third time; and the 5th was made the special order of the day for Wednesday next.

The constitutional provision as to the third reading of the 1st, 2d, 3d, and 4th bills having been dispensed with, and same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the Public Printer forthwith print 150 copies of the 5th bill for the use of the General Assembly.

A bill from the House of Representatives, entitled, an act to incorporate the Cypress Pond Draining Company, was read the first time and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Gilliss moved the following resolution, viz:

Resolved, That the committee on the Code of Practice be instructed to

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inquire into the expediency of so amending the Code of Civil Practice, as to require defendants in case of debt by account before being allowed the benefit of the statute of limitations, shall first file his or her affidavit alledging that the debt has been paid, or that it never was justly owed.

Which was adopted.

Mr. Hogan moved the following resolution, viz:

Resolved, That the commissioners appointed to settle with the late Keeper of the Penitentiary, report to the Senate the progress of said settlement, and what are the obstacles in the way that keeps them from bringing the settlement to a close.

Which was adopted.

A bill from the House of Representatives, entitled, an act to require lands to be listed for taxation in the counties in which they lie, was read the third time.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the resolutions from the House of Representatives, in relation to appropriating a room in the capitol to the use of the State Geologist, be referred to the committee on Public Offices.

Bills from the House of Representatives of the following titles, to-wit:

- 1. An act to incorporate the Winchester and Mt. Sterling Central Turnpike Road Company.
- 2. An act to amend an act, entitled, an act to amend and reduce into one the several acts relating to the town of Glasgow.
- 3. An act to change the county line between Knox and Harlan counties.
- 4. An act for the benefit of Richard Taylor, and adopted daughter Mary Richard Taylor.
- 5. An act to incorporate the Kiddville and Red River Turnpike Road.
- 6. An act reserving power to amend or repeal charters and other laws.
- 7. An act for the benefit of Patrick Napier, late Sheriff of Casey county.
- 8. An act for the benefit of James Clark, late Sheriff of Casey county.
 - 9. An act to increase the fees of Jailers.
 - 10. An act to provide against the demoralization of slaves.
 - 11. An act to incorporate Bethel College at Russellville.
- 12. An act legalizing certain proceedings of the Calloway County Court.

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- 13. An act for the benefit of G. P. Jolly, late Sheriff of Breckinridge county.
- 14. An act for the benefit of William Moody, late Sheriff of Monroe county.
 - 15. An act for the benefit of the Edmonson County Court.
 - 16. An act for the benefit of John Osman, of Boone county.
- 17. An act for the benefit of William Marshall, Jailer of Bracken county.
 - 18. An act to incorporate the Barren River High School.
- 19. An act for the incorporation of the Philomatheon Society of Bethel College in Russellville, Kentucky.
- 20. An act to take the sense of the people of Knox county as to the propriety of removing the county seat thereof.
- 21. An act to change the boundary line between the counties of Shelby and Oldham.
- 22. An act to incorporate the Columbia Male and Female High School.
 - 23. An act to relieve common school districts not regularly reported.
 - 24. An act to incorporate Columbia Baptist College.
- 25. An act authorizing the sale and distribution of the Calloway county Seminary lands.
 - 26. An act to provide for the service of process against steamboats.
 - 27. An act to amend section 16 of the Code of Practice.
- 28. An act repealing an act extending the powers of the municipal officers of the town of Lawrenceburg.
 - 29. An act appointing trustees for the Hart county Seminary.
 - 30. An act to amend the road law in Harrison county.
- 31. An act supplementary to an act, entitled, an act to incorporate the Blue Lick Hotel and Water Company, approved March 1, 1854.
- 32. An act to incorporate Robinson Lodge No. 266, of Free and Accepted Ancient York Masons.
- 33. An act for the benefit of the Louisville and Nashville Railroad Company.
 - 34. An act to extend the limits of the town of Lewisport.
 - 35. An act declaring Blackford Creek a navigable stream.
 - Were read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills having been dispensed with, the 1st, 2d, 4th, 5th, 6th, 9th, 28th, 31st and 32d were referred to the committee on the Judiciary; the 3d, 16th, 20th, 21st and 34th to the committee on Propositions and Grievances; the 7th, 8th, 13th and 14th to the committee on Finance; the 10th to the committee on Religion; the 11th, 18th, 19th, 22d, 23d, 24th, 25th and 29th to the committee on Education: the 12th, 15th and 17th to the

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committee on County Courts; the 26th and 27th to the committee on the Code of Practice and the 30th, 33d and 35th to the committee on Internal Improvement.

The Senate took up the resolution moved by Mr. King, directing the Public Printer to print the common school laws in phamplet form.

And after some discussion had thereon, the hour of 12 o'clock arrived when the Senate proceeded to orders of the day.

On motion of Mr. King-

Ordered, That the committee of the Whole be discharged from the further consideration of the resolutions proposed by Mr. Barlow, on the 3d January, and the substitute proposed therefor by Mr. Conklin, from the committee on Federal Relations, on the 17th January.

The said resolutions and substitute were further discussed.

And then the Senate adjourned.

TUESDAY, FEBRUARY 5, 1856.

A message was received from the House of Representatives announcing their disagreement to the amendment proposed by the Senate to a bill from the House of Representatives, entitled, an act to authorize married women to convey real and other property under power of attorney.

That they had concurred in the amendments proposed by the Senate to bills from the House of Representatives of the following titles, viz:

An to incorporate the German Mutual Insurance Association in Louisville.

An act for the benefit of James S. Coleman, late Sheriff of Ohio county.

An act to amend the charter of the city of Covington.

An act for the benefit of John Friend, late sheriff of Floyd county. An act for the benefit of Elisha Breeding, late sheriff of Letcher county, and for the benefit of George H. Morrow, late Sheriff of McCracken county.

That they had passed bills from the Senate of the following titles viz:

An act to create an additional voting precinct in Campbell county.

An act to incorporate the Barren County Railroad Company.

An act for the benefit of John W. De Jarnett, late Sheriff of Grant county.

An act for the benefit of Nimrod D. Wheeler, late Sheriff of Pendle-

ton county.

An act to amend the charter of the Hickman and Obion railroad company.

An act to amend an act creating a Sinking Fund for the county of

An act for the benefit of the sheriff of Harrison county.

An act for the benefit of the Circuit Court clerk of Harrison county An act to anthorize the trustees of Olivet Church to sell the church and lot upon which it stands.

An act for the benefit of Turnpike Road Companies in Campbell

An act to change the time of holding the February and August terms of the McCracken County and Quarterly Court.

An act in relation to the Seminary Fund of McCracken county.

An act to authorize the County Court of Madison to sell the poor house lands in said county.

An act authorizing the County Court of Larue to sell the poor house

and lands of said county.

An act to incorporate Kenton Lodge No. 24, I. O. O. F.

An act to incorporate Olive Branch Encampment No. 6, I. O. O. F. An act to incorporate the Kirksville Turnpike Road in Madison county.

An act to incorporate the Lowell and Back Creek Turnpike Road in

Garrard county.

An act to incorporate the Hawkins Branch Turnpike Road Company.

An act for the benefit of Addison Williams, late Circuit and County

Court Clerk of Whitley county.

An act to authorize a special election in the city of Louisville.

An act to incorporate the Bank of Ashland.

With amendments to the last named bill.

That they had concurred in a preamble and resolution directing the Public Printer to publish the preamble and resolutions in reference to the death of Henry Clay.

That they had passed bills of the following titles, viz:

An act authorizing the County Court of Lyon county to establish an additional voting place in said county.

An act creating an additional justices district in the county of Pulaski.

1. Mr. Barlow presented the petition of sundry citizens of the counties of Barren, Adair, Cumberland and Monroe, praying the formation of a new county out of parts of said counties.

2. Also, the remonstrance of sundry citizens of said counties against

the formation of said new county.

3. Mr. Buckner presented the petition of sundry citizens of Christian county, praying the repeal of the present law in relation to the county levy of said county, and that it be placed on the footing of other counties of this commonwealth.

4. Also, the petition of sundry citizens of the 4th and 5th districts in Christian county, praying for another voting place therein, or the formation of a new district.

5. Mr. Conklin presented the petition of sundry citizens of the first voting district in Grayson county, praying a change in the same.

Which were received, the reading dispensed with, and referred—the 1st, 2d and 4th to the committee on Propositions and Grievances; the 3d to the committee on Finance; and the 5th to the committee on Privileges and Elections.

Mr. McFarland moved a re-consideration of the vote passing a bill from the House of Representatives, entitled, an act to require lands to be listed for taxation in the counties in which they lie.

And the question being taken thereon, it was decided in the affirmative.

The Speaker laid before the Senate the synopsis of D. D. Owen, the State Geologist.

On motion of Mr. McFarland—

Ordered, That the Public Printer forthwith print 1,000 copies of the same for the use of the members of the Senate.

Mr. Silvertooth, from the committee appointed under the resolution in relation to annexing part of Fulton county to the State of Tennessee, made the following report, viz:

The committee of the Senate and House of Representatives, to whom was referred the petition of the citizens of Madrid Bend, in Fulton county, on the subject of the cession of that territory to the State

of Tennessee, would respectfully report-

That they have met and conferred and took the matters and things in relation thereto, under consideration. While recognizing the inconveniences under which the citizens of Madrid Bend now labor, the injury which must result to Fulton county, the abstraction from the treasury of Kentucky the amount of revenue paid upon property in that locality, together with our repugnance to part with the soil or territory of Kentucky, constrains your committee to report that they conceive said cession to be highly improper, unwise and inexpedient. The committee would be more favorable to an exchange of the territory in Madrid Bend for an equal amount of territory along the boundary line.

between Fulton county and the State of Tennessee, if such an exchange would be agreeable to that State and its citizens who would be effected by the exchange; but upon no other conditions than an exchange of territory, would your committee advise the cession to be made. They are unadvised that any such proposition has been submitted to us by our sister State, Tennessee, and therefore ask to be discharged from the further consideration of the subject.

GEORGE W. SILVERTOOTH,

Chairman Senate Committee.

GEORGE B. COOK,

Chairman Committee House of Representatives.

The Senate again resumed the consideration of the bill from the House of Representatives, entitled, an act to amend the charter of the Louisville and Frankfort Railroad Company, and the amendment proposed thereto, by Mr. Bullock.

The amendment proposed by Mr. Bullock was to add to the 6th sec-

tion of said bill the following, viz:

Provided further, That the killing of stock shall be prima facie evidence of negligence on the part of the company.

And the question being taken on the adoption of said amendment, it was decided in the negative.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate then took up for consideration the bill to divide the State into thirteen judicial district, and the amendment proposed by Mr. Weis to said bill, and the amendment proposed by Mr. Blain to the amendment of Mr. Weis.

The question was then taken on the amendment of Mr. Blain to the amendment of Mr. Weis, and it was decided in the negative.

The said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the State of Kentucky shall be divided into thirteen circuit court judicial districts, as follows, viz:

First District-Fulton, Hickman, Ballard, Graves, McCracken, Cal-

loway, Marshall, Livingston, Lyon, Crittenden and Union. Second District-Henderson, Hopkins, Caldwell, Trigg, Christian,

Todd, and Muhlenburg. Third District-McLean, Daviess, Hancock, Ohio, Grayson, Breckin-

ridge, Meade, Hardin, and Larue. Fourth District-Logan, Butler, Warren, Simpson, Allen, Edmonson, Barren, Monroe, and Hart.

Fifth District-Green, Taylor, Marion, Washington, Nelson, Mercer, and Anderson.

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Sixth District-Garrard, Boyle, Lincoln, Casey, Pulaski, Wayne, Clinton, Russell, Cumberland, and Adair.

Seventh District—Jefferson, Oldham, Shelby, Spencer, and Bullitt. Eighth District—Franklin, Owen, Henry, Trimble, Carroll, Gallatin, Grant and Boone.

Ninth District-Kenton, Campbell, Pendleton, Harrison, and Bracken.

Tenth District-Mason, Nicholas, Fleming, Rowan, Lewis, and Greenup.

Eleventh District—Montgomery, Powell, Bath, Morgan, Carter, Lawrence, Johnson, Floyd, and Pike.

Twelfth District—Estill, Owsley, Breathitt, Perry, Letcher, Harlan, Clay, Knox, Whitley, Laurel, and Rockcastle.

Thirteenth District—Madison, Jessamine, Clarke, Fayette, Woodford, Scott, and Bourbon.

§ 2. There shall be a circuit court judge and a commonwealth's attorney elected in and for every one of the foregoing thirteen districts, on the first Monday in August, 1856, in pursuance of the election laws then in force; and the business of the circuit courts shall be conducted in all respects until that time, and until the new judges have been commissioned and qualified, as if this act had not been passed.

§ 3. The times of holding the circuit courts in and for the aforesaid districts, and the number of juridical days in each county, shall be prescribed by law.

The amendment proposed by Mr. Weis was to strike out all after the enacting clause and insert in lieu thereof the following viz:

That the State shall be divided into thirteen judicial districts as follows:

First District—Fulton, Hickman, Ballard, McCracken, Graves, Calloway, Marshall, Livingston, and Crittenden.

Second District-Trigg, Lyon, Christian, Caldwell, Hopkins, Union, and Henderson.

·Third District—Muhlenburg, Daviess, Hancock, Breckinridge, Meade, Hardin, Hardin, Ohio, McLean, and Grayson.

Fourth District—Todd, Logan, Bath, Hart, Edmonson, Warren, Simpson, Allen, Monroe, and Barren.

Fifth District—Cumberland, Clinton, Wayne, Pulaski, Casey, Lincoln, Green, Larue, Adair, Russell, and Whitley.

Sixth District—Bullitt, Jefferson, Spencer, Shelby, and Oldham.

Seventh District—Nelson, Marion, Washington, Mercer, Boyle, Anderson, and Taylor.

Eighth District-Henry, Trimble, Carroll, Gallatin, Boone, Kenton, and Grant.

Ninth District—Campbell, Pendleton, Mason, Bracken, Nicholas, and Lewis.

Tenth District—Bath, Greenup, Carter, Lawrence, Montgomery, Morgan, Powell, and Rowan.

Eleventh District-Fayette, Clarke, Estill, Madison, Garrard, Jessamine, and Rockcastle.

Twelfth District-Knox, Harlan, Laurel, Clay, Perry, Owsley, Letcher, Breathitt, Floyd, Pike, and Johnson.

Thirteenth District-Owen, Franklin, Woodford, Scott, Bourbon, and

Harrison.

The question was then taken on the amendment of Mr. Weis, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Weis and

Wadsworth, were as follows, viz:

Those who voted in the affirmative, were-

John S. McFarland, John Q. A. King, Wiley S. Hay, George W. Silvertooth, Theodore Kohlhass, James D. Headley, D. K. Weis-9. Daniel Matthewson, Overton P. Hogan,

Those who voted in the negative, were-

T. W. W. DeCourcey, Charles Ripley, John S. Barlow, D. Howard Smith, George T. Edwards, Robert Blain, James Sudduth, William C. Gillis, James F. Buckner, W. H. Wadsworth, William T. Haggin, William C. Bullock, C. J. Walton, James D. Hardin, Jesse W. Burton, John Williams, Sylvester Harris, John A. Cavan, Tucker Woodson, Nathaniel W. Collins, Samuel Howard, George Wright-24. William Howell, William L. Conklin,

Mr. Buckner moved to amend said bill by striking out all after the enacting clause, and inserting in lieu thereof the following, viz:

That a court be, and the same is hereby established, and has origiinal jurisdiction of all matters in equity, and for the trial of chancery, criminal, and penal causes within its county, and all authority and jurisdiction heretofore delegated to the circuit court in said matters, are delegated to the tribunal hereby established, and has all power necesgary to carry into effect the jurisdiction given. Each judge shall be a conservator of the peace throughout the State. And he may grant writs of error coram vobis and nobis.

§ 2. The State shall be divided into twelve criminal and chancery

court districts, as follows:

First District-Fulton, Hickman, McCracken, Graves, Calloway,

Marshall, Livingston, Crittenden, and Ballard.

Second District-Caldwell, Lyon, Trigg, Christian, Todd, Hopkins,

Union, and Henderson. Third District-Daviess, Hancock, Ohio, Grayson, Breckinridge,

Meade, Hardin, Muhlenburg, McLean, and Larue. Fourth District-Butler, Logan, Simpson, Allen, Monroe, Barren,

Hart, Edmonson, and Warren. Fifth District-Cumberland, Clinton, Wayne, Pulaski, Casey, Lincoln, Taylor, Green, Adair, and Russell.

Sixth District-Bullitt, Jefferson, Spencer, and Shelby.

Seventh District-Nelson, Washington, Marion, Mercer, Boyle, Gar-

Eighth District-Oldham, Henry, Trimble, Carroll, Owen, Gallatin, rard, and Anderson. Boone, Grant, and Kenton.

Ninth District—Campbell, Pendleton, Mason, Bracken, Nicholas, Harrison, Bourbon, and Scott.

Tenth District—Bath, Fleming, Lewis, Greenup, Carter, Lawrence,

Montgomery, Morgan, and Powell.

Eleventh District—Franklin, Woodford, Jessamine, Fayette, Madison, Estill, and Clarke.

Twelfth District-Rockcastle, Knox, Harlan, Laurel, Whitley, Clay,

Perry, Owsley, Letcher, Breathitt, Floyd, Pike, and Johnson.

§ 3. A court for the trial of criminal and chancery causes, shall be holden at the court house in each of the counties of the State. It shall be a court of record, and the record books and papers appertaining to said court shall be kept in the office of the clerks of the several circuit courts of this State, which said clerks shall act as the clerk of the courts hereby established. It shall be the duty of said clerks to keep the said record books and papers of said court separate and distinct from the record books and papers belonging to the court of common law jurisdiction, and to make out separate dockets for the same. The terms shall be at the times required by law.

§ 4. When the business of the court may require it, the judge, by order of the court, shall extend the term of said court when it can be done without interfering with any other term of the court in his dis-

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§ 5. When the business of the court requires it, the judge may hold a special meeting in any county of his district for the trial of causes, either chancery, criminal or penal. He may in term time or vacation order a grand or petit jury to be impanneled at any special term. If the order be made in vacation for a special term, notice thereof shall be posted up at the court house door ten days before its commencement, and parties to a suit may agree that the court may hold a special term for the trial of such suit without notice. But all orders concerning a

special term must be entered on the records of the court.

§ 6. That a judge to preside in the court hereby established, shall be elected at the same time and in the same term, possess the same qualifications and receive the same compensation as judges of the circuit courts, and all jurisdiction, authority and power, in reference to chancery, criminal and penal causes, now exercised by, and vested in said judges, is hereby exclusively vested in the judges of the court hereby established. They shall have the exclusive power and authority to make all orders and appoint all officers necessary to carry into effect the orders and judgments of their said court, as is now vested in, and exercised by said circuit judges, and shall be subject to the same penalties for malfeasance in office; shall be proceeded against in the same way as said circuit judges, and before entering upon the duties of their offices, shall take the same oaths prescribed by law for said circuit judges.

§ 7. The said judges, in the trial of causes, shall be governed by the same codes of practice and rules of the present circuit courts, subject

to appeals in the manner now prescribed by law.

§ 8. Juries for all criminal causes shall be impannelled in the same manner that they now are for the circuit courts; and all process shall be executed by the several sheriffs in the same manner, and returned

to said court; every process shall be returned to the court having jurisdiction of the cause.

Mr. Wadsworth moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the amendment of Mr. Buckner be adopted? and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Wright and Buckner, were as follows, viz:

Those who voted in the affirmative, were-

James F. Buckner, Daniel Matthewson, James Sudduth—5. George T. Edwards, George W. Silvertooth,

Those who voted in the negative, were-

John S. McFarland, James D. Hardin, John S. Barlow, Charles Ripley, Sylvester Harris, Robert Blain, D. Howard Smith, Wiley S. Hay, William C. Bullock, W. H. Wadsworth, James D. Headley, Jesse W. Burton, C. J. Walton, Overton P. Hogan, John A. Cavan, D. K. Weis, Samuel Howard, Nathaniel W. Collins, John Williams William Howell, William L. Conklin, Tucker Woodson, T. W. W. DeCourcey, John Q. A. King, George Wright-28. Theodore Kohlhass, William C. Gillis, William T. Haggin,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was

decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Wadsworth and Weis, were as follows, viz:

Those who voted in the affirmative, were-

John S. McFarland, William C. Gillis, Robert Blain, Charles Ripley, William T. Haggin, James F. Buckner, D. Howard Smith, William C. Bullock, James D. Hardin, James Sudduth, Sylvester Harris, Jesse W. Burton, W. H. Wadsworth, Overton P. Hogan, John A. Cavan, John Williams, Nathaniel W. Collins, Samuel Howard, Tucker Woodson, William L. Conklin, William Howell, George Wright-25. T. W. W. DeCourcey, John Q. A. King, George T. Edwards,

Those who voted in the negative, were-

John S. Barlow, Theodore Kohlhass, George W. Silvertooth, Use S. Hay, John P. Martin, C. J. Walton, Daniel Matthewson, D. K. Weis—9.

Resolved, That the title of said bill be as aforesoid.

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The Senate again resumed the consideration of the resolutions proposed by Mr. Barlow, on the 3d January, and the substitute proposed therefor by Mr. Conklin, from the committee on Federal Relations, on the 17th January, and after some discussion had thereon,

The Senate adjourned.

WEDNESDAY, FEBRUARY 6, 1856.

A message was received from the House of Representatives announcing that they had disagreen to a bill from the Senate, entitled, an act for the beneat of J. D. Mannin.

That they had passed bills from the Senate of the following titles,

An act appropriating money for the preparation of registration reports and tables.

An act for the benefit of L. P. Bartlett, of Hickman county.

An act for the benefit of Ann White.

An act for the benefit of Henry Grinstead, Sr., of Hart county.

An act for the benefit of the Judge of the Ohio County Court.

An act for the benefit of N. H. Ryan, of Calloway county.

That they had passed bills of the following titles, viz:

An act to change the place of voting in the 5th district in Union county.

An act to change the place of voting in the 6th district in Clay

An act for the benefit of James M. Bumpass, of Caldwell county.

An act to authorize the Christian County Court to change the place of voting in district No. 4, in said county.

An act to amend the laws in relation to elections.

An act to incorporate the Springfield, Maxville and Willisburg Turnpike Road Company.

Mr. Gilliss presented the petition of William A. Dozier, praying compensation for guarding A. J. Waggoner, who was under sentence of death in Knox county.

Which was received, the readings dispensed with, and referred to the committee on Finance. The Senate took up for consideration the amendments proposed by the House of Representatives to a bill from the Senate, entitled, an act to incorporate the Bank of Ashland

The 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th and 15th amendments of the House of Representatives to said bill were

taken up, twice read and concurred in.

The question was then taken on concurring in the 14th amendment proposed by the House of Representatives to said bill, and it was decided in the negative.

And so the said amendment was disagreed to.

On motion of Mr. Conklin, leave of absence was granted indefinitely to Mr. Howell.

On motion of Mr. King, leave was given to bring in a bill to create

the office of chancellor in the 1st judicial district.

Ordered, That Messrs. King, Wadsworth and Buckner prepare and bring in the same.

Mr. Wadsworth moved the following resolution, viz:

Resolved, That a committee of thirteen, one from each judicial district, proposed to be established by Senate bill No. 145, be raised and instructed to bring in a bill prescribing the number of juridical days, and the times of holding the circuit courts in each of the counties of this commonwealth.

Resolved, That said committee may report at any time.

Which was adopted.

Whereupon, the Speaker appointed Messrs. Wadsworth, King, Buckner, Conklin, Edwards, Hardin, Blain, Ripley, Hogan, DeCourcey, Weis, Gilliss, and Irvine the committee in pursuance of said resolution.

Mr. Kohlhass read and laid on the table the following preamble and

resolution, to-wit:

Whereas, the preservation in honor of the memory of their illustrious dead, is a sacred duty of republics, imposed alike by a just pride and sound policy. And, whereas, Kentucky has failed to distinguish by a public burial, the remains of Gov. James Clarke, one of her noblest citizens, and once her chief magistrate, eminent as a statesman and jurist. Therefore—

Resolved by the General Assembly of the Commonwealth of Kentucky, That any sum not to exceed \$500 dollars be and the same is hereby appropriated out of any money in the Treasury unappropriated, for the purpose of removing the remains of Gov. James Clarke from the county of Clarke to the Frankfort cemetery, and erecting a suitable monument over his remains, and that the Governor be and he is hereby authorized and requested to carry out the provisions of this resolution.

The rule of the Senate requiring joint resolutions to lie one day on the table, having been dispensed with, they were taken up, twice read, and concurred in, The yeas and nays being required on the adoption of the same by the Constitution, were as follows, viz:

Those who voted in the affirmative, were-

John S. Barlow, William C. Gilliss, Robert Blain, Sylvester Harris, John S. McFarland, Charles Ripley, William C. Bullock, James D. Headley, D. Howard Smith, John A. Cavan, Samuel Howard, Nathaniel W. Collins, William Howell, William L. Conklin, David Irvine, T. W. W. DeCourcey, George T. Edwards, Theodore Kohlhass, John Williams—30.

Those who voted in the negative, were—William T. Haggin, George W. Silvertooth, George Wright—4. John P. Martin,

The Speaker laid before the Senate the response of the Commissioners of the Sinking Fund to the resolution moved by Mr. Hogan, on the 4th inst., which is as follows, viz:

Gentlemen of the Senate:

A resolution of your body has been laid before me, directing that the commissioners appointed to settle with the late keeper of the penitentiary, report to the senate the progress of said settlement, and what are the obstacles in the way that keeps them from a settlement.

When I came into office, on the 4th of September last, I found that all the accounts, books, and papers of the late keeper had been referred by the commissioners of the sinking fund to Messrs. A. P. Cox and Thos. B. Page, to have them audited and settled, and a correct balance struck. I urged those gentlemen to progress with their task as rapidly as possible, and accordingly, on the 25th of October, a report was made, and a meeting of the commissioners immediately called. Upon such investigation as could then be made, the report was thought in several particulars to be based on erroneous data, and the chairman and one of the members were appointed a committee to expedite the settlement. A second report was made by the same gentlemen, by which the late keeper was found to be indebted, on the 1st of January, 1856, the sum of \$3,847 89. Since this report there has been no meeting of the commissioners of the sinking fund. An agreement was made by the commissioners with Mr. N. Craig for the purchase of a lot of ground which is thought to be absolutely necessary to the penitentiary warehouse, subject to the ratification of the legislature, which agreement I herewith submit. If ratified by the legislature, it will constitute a credit on the above balance against the late keeper. The commissioners will proceed to collect whatever may be the true balance against the late keeper as speedily as practicable.

C. S. MOREHEAD,

President Com'rs Sinking Fund.

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Commissioners of the Sinking Fund, Frankfort, November 8, 1855.

Present—C. S. Morehead, President; M. T. Scott, President Northern Bank; V. McKnight, President Bank Kentucky; Mason Brown,

Secretary of State. The following proposition was presented: N. Craig presented the following proposition, viz: I offer to the Commissioners of the Sinking Fund, and through them to the state of Kentucky, to convey to the state of Kentucky the lot of ground in the town of Frankfort, binding on the street leading from the penitentiary to the Kentucky river, and lying back of the penitentiary warehouse, for the sum of two hundred and seventy-one dollars; a good and sufficient title to be made for the same. Said sum to stand as a credit on my accounts as of this date. This offer is to remain binding on me until the end of the next session of the legislature, in order that the legislature may have an opportunity to ratify any action the commissioners may take in the premises; and I hereby surrender the possession of the lot to the state, which is to be returned to me if this offer is not fully ratified and closed by that time, on the part of the state. Witness my hand this 8th November, N. CRAIG. 1855.

Resolved, That the same be accepted, subject to the ratification of the legislature.

The foregoing copy is correctly taken from the minute book of the Commissioners of the Sinking Fund.

Attest: THO. S. PAGE,

Auditor, and Sec. Com'rs Sinking Fund.

Auditor's Office, Ky., Frankfort, Jan. 29, 1856.

Ordered, That the Public Printer forthwith print 150 copies of said response for the use of the members of the General Assembly.

The Senate again resumed the consideration of the resolution directing printing of the common school laws in phamplet form.

The said resolution was then twice read and adopted.

Mr. Bullock, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled, an act repealing an act extending the powers of the municipal officers of the town of Lawrenceburg, reported the same without amendment.

And the question being taken on reading said bill a third time, it was decided in the negative.

And so the said bill was disagreed to.

Mr. Bullock, from the same committee to whom was referred bills from the House of Representatives of the following titles, viz:

An act reserving power to amend or repeal charters and other laws.

An act to increase the fees of Jailers.

An act for the benefit of Richard Taylor, and adopted daughter Mary Richard Taylor.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Wadsworth—1. A bill to create the office of chancellor in the 1st judicial district.

By the committee on the Judiciary—2. A bill to incorporate the board of trustees of the Kentucky Female College.

By same—3. A bill to increase the powers and jurisdiction of the mayor of the city of Newport.

Which were read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills having been dispensed with—the 1st, was made the special order of the day for to-morrow; and the 2d and 3d were severally ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of the 2d and 3d bills having been dispensed with, and same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid,

Ordered, That the Public Printer forthwith print 150 copies of the 1st bill for the use of the members of the General Assembly.

The Senate took up the bill from the House of Representatives, entitled, an act to require lands to be listed for taxation in the counties in which they lie.

On motion of Mr. Matthewson-

Ordered, That said bill be referred to the committee on the Judiciary.

A message was received from the House of Representatives announcing that they had receded from their 14th amendment proposed to a bill from the Senate, entitled, an act to incorporate the Bank of Ashland.

The Senate then took up the bill to establish the Kentucky Institution for the education of the idiotic and imbecile children.

On motion of Mr. Sudduth-

Ordered, That said bill be referred to the committee on Education, with instructions to enquire into the propriety of creating a professorship in the Eastern and Western Lunatic Asylums for the instruction and education of the idiotic and imbecile children.

Mr. Bullock, from the committee on the Judiciary, reported a bill to incorporate Mt. Eden Lodge No. 263, of Free and Accepted Masons, of Spencer county.

Which was read the first time, and ordered to be read the second time.

The constitutional provision as to the second reading of said bill having been dispensed with,

The question was then taken on ordering said bill to be engrossed and a third time.

And after some discussion had thereon, the Senate proceeded to the orders of the day.

The Senate again resumed the consideration of the resolutions proposed by Mr. Barlow, on the 3d January, and the substitute proposed therefor by Mr. Conklin, from the committee on Federal Relations, on the 17th January, and after some discussion had thereon,

On motion of Mr. McFarland-

Ordered, That the vote on said resolutions and substitute be taken on to-morrow, at 12 o'clock, M.

And then the Senate adjourned.

THURSDAY, FEBRUARY 7, 1856.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate of the following titles, viz:

An act for the benefit of Philip B. Thompson.

An act to establish the Peoples' Bank of Kentucky.

An act to incorporate the Buena Vista Springs Company.

An act to legalize the proceedings of a special term of the Harlan County Court.

An act authorizing the railroad collector of McCracken county to appoint one or more deputies.

An act for the benefit of Edwin Trimble, late clerk of Floyd county.

An act creating the office of Police Judge, in the town of Wyoming, in Bath county.

An act allowing a change of venue in certain cases.

An act to authorize the sale of certain alleys in the town of Prestonsburg, Floyd county.

With amendments to the three last named bills.

That they had passed bills of the following titles, viz:

An act for the benefit of John G. Shacklett.

An act to incorporate the Savings Bank of Kenton.

An act for the benefit of E. C. Ashcraft.

An act for the benefit of Worden Kendall.

An act for the benefit of Thos. W. Pickering.

An act for the benefit of Justices district No. 3, in Kenton county.

An act for the benefit of Edmund M. Chestnut, of Laurel county.

An act to amend the charter of the Dry Creek and Covington Turnpike Road Company.

An act to amend and reduce into one all the acts concerning the town of Bowlinggreen.

An act to amend the charter of the town of Alexandria.

An act for the benefit of the estate of R. W. Warring, deceased, late Sheriff of Greenup county.

An act for the benefit of William Corum, clerk of the Greenup Circuit and County Courts.

That they had received official information from the Governor, that he had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Southern Kentucky Fair Ground Association.

An act to incorporate the Christian County Agricultural and Mechanical Association.

An act to amend the laws relating to the county levy of Kenton county.

An act to authorize the trustees of Bethel High School to sell and convey lands.

An act to amend an act authorizing the citizens of Brandenburg to elect a Police Judge and Marshal.

An act imposing an additional tax of three cents for the purpose of increasing the common school fund.

An act to change the time of holding the Crittenden Quarterly Courts.

An act to change the time of holding the Campbell Quarterly Courts.

An act to incorporate the Warren county Agricultural and Mechanical Association.

An act to charter the Springfield Agricultural and Mechanical Association.

An act to ratify the sale made by the Marion County Court of the poor house and farm.

An act to provide for increasing the county levy of Kenton county.

An act to authorize the County Court of Spencer county to sell the poor house lands in said county.

An act to increase the jurisdiction of the Police Judge of Mon-

terev, in Owen county.

An act for the benefit of Robert P. Pepper, of Woodford county. An act to provide a police system for part of Kenton county.

An act to change the time of holding the Rockcastle Circuit Court.

An act to change the time of holding the Graves, Livingston, and
Crittenden Circuit Courts. Approved February 5, 1856.

The Senate resumed the consideration of a bill to incorporate Mt. Eden Lodge No. 263, of Free and Accepted Masons, of Spencer county.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was

decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Wadsworth and Wright, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain, Sylvester Harris, William C. Bullock, Wiley S. Hay, Charles Ripley, T. W. W. DeCourcey, Samuel Howard, William C. Gillis, David Irvine, William T. Haggin, John Q. A. King, John Williams—15.

Those who voted in the negative, were-

John S. Barlow,
James F. Buckner,
Jesse W. Burton,
John A. Cavan,
Nathaniel W. Collins,
John S. McFarland,
W. H. Wadsworth,
C. J. Walton,
George Wright—14.

Resolved, That the title of said bill be as aforesaid.

Mr. Buckner, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled, an act to incorporate Robinson Lodge No. 266, of Free and Accepted Ancient York Masons, reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wright and Weis, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain, Wiley S. Hay, John S. McFarland, William C. Bullock, Samuel Howard, George W. Silvertooth. T. W. W. DeCourcey, David Irvine, Shelby Stone, William C. Gillis, John Q. A. King, D. K. Weis. William T. Haggin, Theodore Kohlhass, John Williams-17. Sylvester Harris, John P. Martin.

Those who voted in the negative, were-

John S. Barlow,
James F. Buckner,
Jesse W. Burton,
John A. Cavan,
Nathaniel W. Collins,

Villiam L. Conklin,
James Sudduth,
W. H. Wadsworth,
C. J. Walton,
George Wright—14.

Resolved, That the title of said bill be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the committee to whom they were referred, without amendment, viz:

By Mr. Buckner, from the committee on the Judiciary-

An act to incorporate the Winchester and Mt. Sterling Central Turnpike Road Company.

By same-

An act to amend an act, entitled, an act to amend and reduce into one the several acts relating to the town of Glasgow.

By same-

An act supplementary to an act, entitled, an act to incorporate the Blue Lick Hotel and Water Company, approved March 1, 1854.

By Mr. Ripley, from the same committee-

An act to incorporate the Kiddville and Red River Turnpike Road. Ordered, That said bills be read third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said said bills do pass, and that the titles thereof be as aforesaid.

Mr. Buckner, from the same committee, to whom was referred a bill to further provide for the appointment of officers of elections, reported the same with an expression of opinion that it ought not to pass.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be the duty of the County Courts of the several counties of this commonwealth to appoint all officers of elections equally between the political parties of the State. This act to take effect from its passage.

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Mr. Sudduth moved to amend said bill by striking out all after the

enacting clause and inserting the following:

That hereafter it shall be the duty of the several County Courts in this commonwealth at the County Court preceding each general election to appoint two judges of election to each voting place within their respective counties, one of which shall be a Democrat and the other from the American party; it shall also be the duty of said courts to appoint a clerk of election at each of said voting places, whose politics shall be of that party to which the Sheriff of the county is opposed.

Mr. DeCourcey moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. DcCcurcey and Irvine, were as follows, viz:

Those who voted in the affirmative, were-

William T. Haggin, Charles Ripley, Robert Blain, George W. Silvertooth, Sylvester Harris, James F. Buckner, William C. Bullock, W. H. Wadsworth, Wiley S. Hay, C. J. Walton, Samuel Howard. Jesse W. Burton, John Williams David Irvine, John A. Cavan, William L. Conklin, Theodore Kohlhass, Tucker Woodson, T. W. W. DeCourcey, John S. McFarland, George Wright-22. William C. Gillis,

Those who voted in the negative, were-

John S. Barlow, James D. Headley, Daniel Matthewson, Deformed T. Edwards, John Q. A. King, James D. Hardin, John P. Martin, James Sudduth—12.

And so the said bill was rejected.

Mr. Buckner, from the same committee, to whom was referred a bill to increase the jurisdiction of the Presiding Judge of the Bourbon County Court, reported the same with an expression of opinion that it ought not to pass.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the jurisdiction of the Presiding Judge of the Bourbon County Court, when sitting as a Quarterly Court, be and the same is hereby increased to two hundred dollars, in such cases as his jurisdiction is now one hundred dollars.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Martin and Hogan, were as follows, viz:

Those who voted in the affirmative, were-

Jesse W. Burton, Wiley S. Hay, W. H. Wadsworth, Nathaniel W. Collins, Samuel Howard, D. K. Weis,

T. W. W. DeCourcey, Theodore Kohlhass, George T. Edwards, D. Howard Smith, William C. Gilliss, James Sudduth,

John Williams, Tucker Woodson, George Wright-15.

Those who voted in the negative, were-

John S. Barlow, James D. Hardin, Daniel Matthewson, Robert Blain, James F. Buckner. William C. Bullock, William L. Conklin, William T. Haggin,

Sylvester Harris, Overton P. Hogan, David Irvine, John Q. A. King, John P. Martin,

John S. McFarland, Charles Ripley, George W. Silvertooth, Shelby Stone, C. J. Walton-18.

So the said bill was rejected.

Mr. Ripley, from the some committee, to whom was referred a bill to amend the laws limiting the time of commencing certain actions, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Ripley, from the same committee, reported a bill to establish Olivet University.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill having been dispensed with,

Said bill was then amended.

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Ordered, That said bill, as amended, be engrossed and read a third

The constitutional provision as to the third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. King, from the committee on Banks, reported the following bills, viz:

A bill supplemental to an act to incorporate the Bank of Ashland. Also, a bill supplemental to an act to establish the Peoples' Bank of Kentucky.

Which were read the first time, and ordered to be read a second time. The constitutional provision as to the second and third readings of said bills being dispensed, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Smith presented a communication from the appointers of the

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Board of Commissioners of the Sinking Fund, to settle the accounts of N. Craig, late Keeper of the Penitentiary.

Which was received and ordered to be printed.

Mr. Martin presented the petition of George W. Hampton, praying the passage of an act authorizing him to erect a mill dam across one of the branches of Licking river, in Morgan county.

Which was received, the reading dispensed with, and referred to

the committee on Internal Improvement.

On motion of Mr. Blain, Mr. Wright was added to the committee on Propositions and Grievances.

On motion of Mr. Smith, leave of absence was granted to Mr. Bur-

ton indefinitely.

The Senate, according to order took up for consideration the resolutions offered by Mr Barlow on the 3d day of January last, in relation to the repeal of the Missouri compromise line, together with the amendment proposed by Mr. Conklin, from the committee on Federal Relations, as a substitute for said resolutions.

The resolutions read as follows viz.

§ 1. Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the abrogation of the line known as the Missouri compromise line, and the repeal of the restriction as to slavery in the Territories by the compromise measures of 1850, and by the Kansas-Nebraska act, was right, necessary and proper.

2. Resolved, That the Constitution grants no power to Congress to inhibit or establish slavery in the Territories belonging to the United

3. Resolved, That it would be a palpable violation of the Constitution for Congress to refuse to admit into the Union any new State formed out of the Territories-the common property of all the States-merely because such new State might tolerate slavery.

4. Resolved, That the principle of non-intervention by Congress on the slavery question, as contained in the Kansas-Nebraska act, is the true policy of the General Government; and that any departure from it would, in our opinion, greatly endanger the existence of the Union.

5. Resolved, That regarding the Kansas-Nebraska act as a great national and constitutional measure, the thanks of the people of the south are especially due those members of Congress from the north who assisted in its passage, and to the President of the United States who approved it.

6. Resolved, That the repeal or modification of the fugitive slave law would, also, greatly endanger the safety of the Union; and that the thanks of the people are due to the President of the United States

for his firmness and efficiency in its execution.

7. Resolved, That our Senators in Congress be instructed, and our Representatives be requested, to vote in accordance with the principles of these resolutions; and not to vote for any man for office who is not willing to stand by and carry out the same.

The substitute reads as follows, viz:

Whereas, The passage of the Kansas-Nebraska act by Congress has been followed by increased irritation in the public mind upon the subject of slavery, which irritation it is the duty of patriots to allay, but the object of demagogues to foster and continue: And whereas, it is right and proper to express the views of the people of Kentucky on other important topics now agitating the public mind, and we but echo their voice, as spoken at the late election, when we announce their unqualified approbation of the principles embodied in the Philadelphia platform of the American party. Therefore—

1. Be it resolved by the General Assembly of the Commonwealth of Kentucky, That we look to the union of these States as the best, if not the only, security for our peace and happiness, and as the main pillar in the edifice of our liberty. That we cherish a cordial, habitual, and immovable attachment to it, and that we will unite in opposition to all attempts to weaken and subvert it, and to every principle or policy that can endanger it.

2. Resolved, That the systematic agitation of the slavery question has brought our institutions into peril, and we hold it to be the duty of every American patriot to unite for the purpose of suppressing this agitation, and thereby giving peace to the country and perpetuity to the Union. And we solemnly believe it to be the best guarantee of common justice and future peace, to abide by and maintain the existing laws upon the subject of slavery as a final and conclusive settlement of that subject in spirit and in substance.

3. Resolved, That Congress has no right to exclude any State from admission into the Union, because its constitution may, or may not, recognize slavery as a part of its social system.

4. Resolved, That the public domain is the common property of the people of all the States, and is held by the General Government in trust for their common good, and that any legislation invidiously restricting, or in any manner interfering with the equal enjoyment thereof by the citizens of the different States, would be inconsistent with the spirit and true intent of the trust, of questionable constitutionality, and dangerous to the harmony of the Union.

5. Resolved, That to perpetuate the countless blessings of this Union, we are deeply impressed with the necessity of the cultivation and development of American nationality and of American feeling; that we are utterly opposed to all legislation by the General Government for the territories which shall give the right of suffrage, the right to hold office, or any portion of the public domain, to any persons who are not citizens of these United States; and that so much of the Kansas-Nebraska act as confers suffrage and the right to hold office on aliens, is a gross departure from all true American principle, places in foreign and unfit hands the legislation of the territories, and ought never to have been incorporated in the act.

6. Resolved, That notwithstanding the obnoxious alien feature of the Kansas-Nebraska act, that we are opposed to its repeal, because it has settled the policy of the government in reference to slavery in the territories, and we believe the interest and safety of the Union require that it should not be disturbed.

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7. Resolved, That the fugitive slave law ought to be fully maintained and firmly enforced by every public functionary, and that any material change of that law, calculated to impair the guarantees of slave property, would greatly endanger the safety of the Union.

8. Resolved, That we condemn the transmission to our shores of felons and paupers, and while we recognize as brothers those foreigners, who, from love of liberty, or hatred of oppression, have sought an asylum in our midst, we are convinced that it is detrimental to the best interests of the country that the foreign immigration should be, as we believe it now is, greater than can be conveniently absorbed by the native population; and we are, therefore, in favor of a radical revision and modification of the laws regulating immigration and naturalization.

9. Resolved, That obedience to the constitution of the United States, as the supreme law of the land, is sacredly obligatory upon every citizen, and we utterly reprobate and condemn the advancement of any person to political station who acknowledges civil allegiance, directly or indirectly, to any foreign power, whether civil or ecclesiastical.

10. Resolved, That a copy of the foregoing resolutions be transmitted to each of our Senators and Representatives in Congress.

Mr. Martin moved the following as an amendment to the 5th resolution of the substitute:

That no religious test shall ever be required as a qualification to any office or public trust under the United States.

And the question being taken on the adoption thereof, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Martin and Hogan, were as follows, viz:

Those who voted in the affirmative, were-

William L. Conklin, T. W. W. DeCourcey, George T. Edwards,	James D. Hardin, James D. Headley, Overton P. Hogan, John Q. A. King, John P. Martin,	Daniel Matthewson, John S. McFarland, George W. Silvertooth, C. J. Walton, D. K. Weis—15.
Those W	the voted in the negati	ve, were—

Those who voted in the negative,

James F. Buckner, William C. Bullock, Jesse W. Bnrton, John A. Cavan, Nathaniel W. Collins,	Sylvester Harris, Wiley S. Hay, Samuel Howard, David Irvine. Theodore Kohlhass, Charles Ripley, D. Howard Smith,	Shelby Stone, James Sudduth, W. H. Wadsworth, John Williams, Tucker Woodson, George Wright—20.
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Mr. McFarland moved the following as an amendment to the substitute:

Make the 10th resolution read as follows:

Resolved, That obedience to the Constitution of the United States, and all laws passed by Congress in pursuance thereof, is sacredly obligatory upon the citizens of the States, and that the Supreme Court d

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of the United States is the proper tribunal in the last resort, to determine the constitutional enactments of Congress; and that we utterly repudiate the higher-law doctrines of the North, as well as the seceding and nullifying doctrines of the South and North, as exhibited first by the South in the attempt by South Carolina to evade the tariff laws, and more recently by Massachusetts in her effort, by State authority, to evade the fugitive slave act.

Make the 10th the 11th resolution.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. McFarland and Wadsworth, were as follows, viz:

Those who voted in the affirmative, were-

John S. Barlow, Sylvester Harris. John S. McFarland, Robert Blain, Wiley S. Hay, Charles Ripley, James F. Buckner, Overton P. Hogan, D. Howard Smith, William C. Bullock. Samuel Howard, Shelby Stone, Jesse W. Burton, David Irvine, James Sudduth, Nathaniel W. Collins, John Q. A. King, W. H. Wadsworth, William L. Conklin, Theodore Kohlhass, John Williams. William C. Gillis, John P. Martin, Tucker Woodson, William T. Haggin, Daniel Matthewson, George Wright-27.

Those who voted in the negative, were— T. W. W. DeCourcey, George W. Silvertooth, D. K. Weis—5. James D. Headley, C. J. Walton,

Mr. Smith moved to amend the 9th resolution of the substitute by adding thereto the following:

And whilst we express these opinions, we utterly disclaim any intention to prescribe what is popularly called a religious test for office.

Mr. Wadsworth moved the previous question.

And the question being taken, shall the main question be now put? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hogan and Walton, were as follows, viz:

Those who voted in the affirmative, were-

John S. Barlow, William T. Haggin, Charles Ripley, Robert Blain, James D. Hardin, D. Howard Smith, James F. Buckner, Sylvester Harris, James Sudduth, William C. Bullock, Wiley S. Hay, W. H. Wadsworth, Jesse W. Burton, Samuel Howard, John Williams, Nathaniel W. Collins. David Irvine, Tucker Woodson, William L. Conklin, Theodore Kohlhass, George Wright-23. William C. Gillis, John S. McFarland,

Those who voted in the negative, were-

T. W. W. DeCourcey, John P. Martin, Shelby Stone, James D. Headley, Daniel Matthewson, C. J. Walton,

Overton P. Hogan, George W. Silvertooth, D. K. Weis-10. John Q. A. King,

The question was then taken on the adoption of the amendment proposed by Mr. Smith, and it was decided in the affirmative.

The question was then taken on the adoption of the substitute, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Hogan and King, were as follows, viz:

Those who voted in the affirmative, were-

Charles Ripley, William T. Haggin, Robert Blain, D. Howard Smith, Sylvester Harris, James F. Buckner, Shelby Stone, Wiley S. Hay, William C. Bullock, James Sudduth, Samuel Howard. Jesse W. Burton, W. H. Wadsworth, David Irvine, John A. Cavan, John Williams Nathaniel W. Collins, John Q. A. King, Tucker Woodson, Theodore Kohlhass, William L. Conklin, George Wright-25. John S. McFarland. George T. Edwards, William C. Gillis,

Those who voted in the negative, were-

John S. Barlow,
T. W. W. DeCourcey,
James D. Hardin,
James D. Headley,

Overton P. Hogan,
John P. Martin,
Daniel Matthewson,
D. K. Weis—10.

The question was then taken on the adoption of each resolution separately, and upon them the year and nays were required by Messrs. Wadsworth and King.

The vote on the 1st resolution stood thus:

Those who voted in the affirmative, were-

Charles Ripley, Sylvester Harris, John S. Barlow, George W. Silvertooth, Wiley S. Hay, Robert Blain, James D. Headley. D. Howard Smith, James F. Buckner, Shelby Stone, Overton P. Hogan, William C. Bullock, James Sudduth, Samuel Howard, Jesse W. Burton, W. H. Wadsworth, John A. Cavan, David Irvine, Nathaniel W. Collins, John Q. A. King, C. J. Walton, Theodore Kohlhass, D. K. Weis, William L. Conklin. John Williams, George T. Edwards, John P. Martin, Daniel Matthewson, Tucker Woodson, William C. Gilliss, John S. McFarland, George Wright-34. William T. Haggin, James D. Hardin,

In the negative—T. W. W. DeCourcey—1.

The vote on the 2d, thus:

Those who voted in the affirmative, were-

Robert Blain,	William T. Haggin,	Charles Ripley,
James F. Buckner.	Sylvester Harris,	D. Howard Smith,

William C. Bullock. Jesse W. Burton, John A. Cavan. Nathaniel W. Collins, William L. Conklin, George T. Edwards, William C. Gilliss,

Wiley S. Hay, Samuel Howard, David Irvine. John.Q. A. King, Theodore Kohlhass. John S. McFarland.

Shelby Stone, James Sudduth. W. H. Wadsworth, John Williams, Tucker Woodson, George Wright-25.

Those who voted in the negative, were-

John S. Barlow, T. W. W. DeCourcey, John P. Martin, James D. Hardin, James D. Headley,

Daniel Matthewson, D. K. Weis-10.

Overton P. Hogan, George W. Silvertooth, C. J. Walton.

On the 3d, thus:

Those who voted in the affirmative, were-

John S. Barlow. Robert Blain. James F. Buckner. William C. Bullock, Jesse W. Burton, John A. Cavan, Nathaniel W. Collins, John Q. A. King, C. J. Walton, William L. Conklin, Theodore Kohlhass, D. K. Weis, George T. Edwards, William C. Gilliss, William T. Haggin, James D. Hardin,

Sylvester Harris, Wiley S. Hay, James S. Headley, Overton P. Hogan, Samuel Howard, David Irvine. John P. Martin, Daniel Matthewson, John S. McFarland,

Charles Ripley, George W. Silvertooth, D. Howard Smith, Shelby Stone. James Sudduth, W. H. Wadsworth, John Williams, Tucker Woodson, George Wright—34.

In the negative—T. W. W. DeCourcey—1.

On the 4th, thus:

Those who voted in the affirmative, were-

Robert Blain. James F. Buckner, William C. Bullock, Jesse W. Burton, John A. Cavan, Nathaniel W. Collins, John Q. A. King, William L. Conklin. George T. Edwards, William C. Gillis,

William T. Haggin, Sylvester Harris. Wiley S. Hay, Samuel Howard, David Irvine. Theodore Kohlhass, John S. McFarland.

Charles Ripley, D. Howard Smith, Shelby Stone, James Sudduth, W. H. Wadsworth, John Williams, Tucker Woodson, George Wright-25.

Those who voted in the negative, were-

John S. Barlow. T. W. W. DeCourcey, John P. Martin, James D. Hardin, James D. Headley,

Daniel Matthewson, D. K. Weis-10.

Overton P. Hogan, George W. Silvertooth, C. J. Walton,

On the 5th, thus:

Those who voted in the affirmative, were-

Robert Blain,

William T. Haggin, James F. Buckner, Sylvester Harris,

Charles Ripley, D. Howard Smith, William C. Bullock. Jesse W. Burton. John A. Cavan. Nathaniel W. Collins, William L. Conklin, George T. Edwards, William C. Gilliss,

Wiley S. Hay, Samuel Howard. David Irvine, John Q. A. King, Theodore Kohlhass, John S. McFarland. Shelby Stone, James Sudduth. W. H. Wadsworth, John Williams, Tucker Woodson, George Wright-25.

Those who voted in the negative, were-

John S. Barlow, T. W. W. DeCourcey, John P. Martin, James D. Hardin, James D. Headley,

Overton P. Hogan, Daniel Matthewson.

George W. Silvertooth, C. J. Walton, D. K. Weis-10.

On the 6th, thus:

Those who voted in the affirmative, were-

Robert Blain. James F. Buckner, William C. Bullock, Jesse W. Burton, John A. Cavan, Nathaniel W. Collins, William L. Conklin, George T. Edwards, William C. Gilliss,

William T. Haggin, Sylvester Harris, Wiley S. Hay, Samuel Howard, David Irvine, John Q. A. King, Theodore Kohlhass, John S. McFarland, Charles Ripley, D. Howard Smith, Shelby Stone, James Sudduth, W. H. Wadsworth. John Williams. Tucker Woodson, George Wright-25.

Those who voted in the negative, were-

John S. Barlow, T. W. W. DeCourcey, John P. Martin, James D. Hardin, James D. Headley,

Overton P. Hogan, Daniel Matthewson,

George W. Silvertooth, C. J. Walton, D. K. Weis-10.

On the 7th, thus:

Those who voted in the affirmative, were-

John S. Barlow, Robert Blain. James F. Buckner, William C. Bullock, Jesse W. Burton, John A. Cavan, Nathaniel W. Collins, William L. Conklin, George T. Edwards, William C. Gilliss, William T. Haggin, James D. Hardin,

Sylvester Harris, Wiley S. Hay, James D. Headley, Overton P. Hogan, Samuel Howard, David Irvine, John Q. A. King, Theodore Kohlhass. John P. Martin, Daniel Matthewson, John S. McFarland.

Charles Ripley, George W. Silvertooth, D. Howard Smith, Shelby Stone, James Sudduth, W. H. Wadsworth, C. J. Walton. D. K. Weis, John Williams, Tucker Woodson, George Wright-34.

In the negative—T. W. W. DeCourcey—1.

On the 8th, thus:

Those who voted in the affirmative, were-

Robert Blain, James F. Buckner,

William T. Haggin, Sylvester Harris,

Charles Ripley, D. Howard Smith.

William C. Bullock. Jesse W. Burton, John A. Cavan. Nathaniel W. Collins, John Q. A. King, William L. Conklin. George T. Edwards, William C. Gilliss.

Wiley S. Hay, Samuel Howard, David Irvine, Theodore Kohlhass, John S. McFarland.

Shelby Stone, James Sudduth, W. H. Wadsworth John Williams, Tucker Woodson. George Wright-25.

Those who voted in the negative, were-

John S. Barlow. T. W. W. DeCourcey, John P. Martin, James D. Hardin, James D. Headley,

Overton P. Hogan. Daniel Matthewson, D. K. Weis-10.

George W. Silvertooth, C. J. Walton,

On the 9th, thus:

Those who voted in the affirmative, were-

Robert Blain. James F. Buckner, William C. Bullock, Jesse W. Burton, John A. Cavan. Nathaniel W. Collins, John Q. A. King, William L. Conklin, George T. Edwards, William C. Gilliss,

William T. Haggin, Sylvester Harris, Wiley S. Hay, Samuel Howard, David Irvine, Theodore Kohlhass, John S. McFarland, Charles Ripley,

D. Howard Smith, Shelby Stone, James Sudduth, W. H. Wadsworth, D. K. Weis, John Williams, Tucker Woodson, George Wrigh: -26.

Those who voted in the negative, were-

John S. Barlow, James D. Hardin, James D. Headley, John P. Martin,

Daniel Matthewson, T. W. W. DeCourcey, Overton P. Hogan, George W. Silvertooth, C. J. Walton-9.

On the 10th, thus:

Those who voted in the affirmative, were-

Robert Blain, James F. Buckner, William C. Bullock, Jesse W. Burton, John A. Cavan, Nathaniel W. Collins, Theodore Kohlhass, William L. Conklin, William C. Gilliss.

Sylvester Harris, Wiley S. Hay, Samuel Howard, David Irvine, John Q. A. King, John S. McFarland,

Charles Ripley, Shelby Stone, James Sudduth, W. H. Wadsworth, John Williams, Tucker Woodson, George Wright-22.

Those who voted in the negative, were-

John S. Barlow. T. W. W. DeCourcey, Overton P. Hogan, George T. Edwards, William T. Haggin,

James D. Headley, John P. Martin, Daniel Matthewson,

George W. Silvertooth, D. Howard Smith, C. J. Walton, D. K. Weis-12.

On the 11th, thus:

Those who voted in the affirmative, were-

Robert Blain, James F. Buckner, William C. Bullock, Jesse W. Burton,

William T. Haggin, Sylvester Harris, Wiley S. Hay, Samuel Howard,

Charles Ripley, D. Howard Smith, Shelby Stone, James Sudduth,

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Nathaniel W. Collins,	David Irvine,
William L. Conklin,	John Q. A. King,
George T. Edwards,	Theodore Kohlhass,
William C. Gilliss.	.John S. McFarland,

W. H. Wadsworth, John Williams, Tucker Woodson, George Wright—24.

Those who voted in the negative, were-

John S. Barlow,	Overton P. Hogan,	George W. Silvertooth,
T. W. W. DeCourcey,	John P. Martin,	C. J. Walton,
James D. Hardin,	Deniel Matthewson,	D. K. Weis—10.
James D Headley.		

The question was then taken on the adoption of the preamble, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Wadsworth and King, were as follows, viz:

Those who voted in the affirmative, were-

James F. Buckner,	Sylvester Harris,	D. Howard Smith,
William C. Bullock,	Wiley S. Hay,	James Sudduth,
Jesse W. Burton,	Samuel Howard,	W. H. Wadsworth,
Nathaniel W. Collins,	David Irvine,	John Williams,
George T. Edwards,	John Q. A. King,	Tucker Woodson,
William C. Gilliss,	Theodore Kohlhass,	George Wright—20.
William T. Haggin.	Charles Ripley,	

Those who voted in the negative, were-

John S. Barlow,	James D. Headley,	George W. Silvertooth,
	Overton P. Hogan,	Shelby Stone,
William L. Conklin,	John P. Martin,	C. J. Walton,
T. W. W. DeCourcey,	Daniel Matthewson,	D. K. Weis—14.
James D. Hardin,	John S. McFarland,	

And then the Senate adjourned.

FRIDAY, FEBRUARY 8, 1856.

A message was received from the House of Representatives announcing that they had disagreed to a bill from the Senate, entitled, an act giving additional jurisdiction to the Police Judge of the town of Owingsville.

That they had passed a bill from the Senate, entitled, an act to divide the State into thirteen judicial districts.

That they had passed bills of the following titles, viz:

An act to establish the county of Metcalfe.

An act for the benefit of J. L. Jenkins, late Sheriff of Henry county. Mr. King presented the petition of sundry citizens of the county of Caldwell, asking an appropriation for the aid of the Colonization Society.

Also, the petition of sundry citizens of the county of McCracken for same purpose.

Which were received, the readings dispensed with and referred to the committee on Finance.

Leave was given to bring in the following bills, viz:

On motion of Mr. Kohlhass-1. A bill to incorporate the Winchester and Red River Iron Works Turnpike Road Company.

On motion of same—2. A bill to change the boundary lines of certain election districts in Clarke county.

On motion of Mr. Woodson-3. A bill for the benefit of Charles Goodwin.

On motion of same-4. A bill for the benefit of George W. McConnell, late Sheriff of Woodford county.

On motion of Mr. Bullock-5. A bill to incorporate the Eminence High School.

On motion of same—6. A bill changing the time of holding the Shelby Quarterly Courts.

On motion of same—7. A bill authorizing the County Courts of this commonwealth to lay a tax on dogs.

On motion of same—8. A bill to provide for the publication of the general laws, sheriff's sales and other legal advertisements in newspapers.

On motion of Mr. Williams—9. A bill to legalize the number of pounds of stone coal contained in a bushel.

On motion of Mr. King-10. A bill to incorporate the Salem Presbyterial Academy.

On motion of Mr. Smith—11. A bill to amend the charter of the town of Columbia in Adair county.

On motion of Mr. King-12. A bill to incorporate the Paducah Gas Light Company.

On motion of Mr. Cavan—13. A bill to amend the law in relation to processioning lands.

On motion of Mr. DeCourcey—14. A bill to incorporate Robert Burns Lodge No. 163, of Ancient York Masons.

On motion of Mr. King-15. A bill to amend the charter of the Mobile and Ohio Railroad Company.

On motion of Mr. Sudduth—16. A bill to provide for a place of voting in — district, in Bath county, instead of Olympian Springs.

On motion of same-17. A bill to increase the powers of the Marshal of the town of Owingsville.

On motion of Mr. Haggin-18. A bill to incorporate the New Or-

leans and Ohio Telegraph lessees.

On motion of Mr. Walton-19. A bill to amend the law in relation to commissioners of tax.

On motion of Mr. Barlow-20. A bill for the benefit of the trustees

of school district No. 67, in Barren county.

On motion of Mr. Howard-21. A bill for the benefit of school district No. 20, in Carroll county.

On motion of Mr. Martin-22. A bill to establish an additional mag-

istrates district in Morgan county.

On motion of Mr. Buckner-23. A bill to incorporate the Russellville, Elkton, Hopkinsville and Paducah Railroad Company.

On motion of Mr. Haggin-24. A bill for the benefit of Mary S. Ba-

con. On motion of Mr. King-25. A bill for the benefit of A. D. Robinson

and C. Winfrey.

Ordered, That the committee on Internal Improvement prepare and bring in the 1st; the committee on Privileges and Elections the 2d; the committee on Finance the 3d and 25th; the committee on Revised Statutes the 4th and 13th; the committee on Education the 5th and 20th; the committee on County Courts the 6th, 7th, 16th, 17th and 22d; the committee on the Judiciary the 8th, 10th, 12th, 14th, 15th, 23d and 24th; the committee on Agriculture and Manufactures the 9th; the committee on Circuit Courts the 11th; Messrs. Haggin, Smith and Ripley were appointed a committee to prepare and bring in the 18th; Messrs. Walton, Howard and Matthewson the 19th; and Messrs. Howard, King and Sudduth the 21st.

Bills from the House of Representatives of the following titles were reported from the committee to whom they were referred, without

amendment, viz:

By Mr. Blain, from the committee on Propositions and Grievances-An act to change the county line between Knox and Harlan coun-

An act for the benefit of John Osman, of Boone county An act to extend the limits of the town of Lewisport.

Ordered, That said bills be read third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said said bills do pass, and that the titles thereof be as

Also, a bill from the House of Representatives, entitled,

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An act to take the sense of the people of Knox county as to the propriety of removing the county seat thereof.

Mr. Gilliss moved to re-commit said bill.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Martin and Harris, were as follows, viz:

Those who voted in the affirmative, were-

John S. Barlow, William C. Gilliss, John S. McFarland, Robert Blain, James D. Hardin, Charles Ripley, James F. Buckner, Sylvester Harris, D. Howard Smith, William C. Bullock, Wiley S. Hay, John A. Cavan, David Irvine, Nathaniel W. Collins, John Q. A. King, William L. Conklin, Theodore Kohlhass, George T. Edwards,

James Sudduth, D. K. Weis, Tucker Woodson, George Wright-22.

Those who voted in the negative, were-Overton P. Hogan, John P. Martin. C. J. Walton-5. Samuel Howard, Daniel Matthewson,

Mr. Blain, from the same committee, asked to be discharged from the further consideration of the petition of William M. Smith, of Rockcastle county, asking certain relief as gate keeper on the Wilderness Turnpike Road.

Also, from the further consideration of the remonstrance of sundry citizens of said county, protesting against the same.

Also, from the further consideration of the petition of sundry citizens of the town of Glasgow, praying the passage of an act taking from the trustees of said town, the power to confer tavern license.

Also, from the further consideration of the petition of Isaac Landes, asking that a certain portion of his real estate in Hopkinsville should be exempt from town tax.

Which was granted.

Mr. Blain, from the same committee, reported the following bills, viz:

- 1. A bill to allow R. M. Bradley & Company, to build dams and buildings on the Cumberland river, and for other purposes.
 - 2. A bill to establish the county of McKee.
- 3. A bill to create an additional voting and justices district in Perry county.
- 4. A bill to prevent the destruction of fish in Little river in Christian county.

Which were read the first time, and ordered to be read the second time.

The constitutional provision as to the second reading of said bills

being dispensed with, the 1st, 3d, and 4th were ordered to be engrossed and read a third time, and the 2d was made the special order of the day for Thursday, the 14th, at 11 o'clock, A. M.

The constitutional provision as to the third reading of the 1st, 3d and 4th bills having been dispensed with, and same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid,

Mr. Hogan, from the committee on Religion, to whom was referred a bill from the House of Representatives, entitled, an act to provide against the demoralization of slaves, reported the same without amendment.

On motion of Mr. DeCourcey-

Ordered, That said bill be committed to the committee on the Judiciary, with instructions to report the same on Monday next, at 11 o'clock, and to make the law applicable to free negroes, as well as slaves.

Mr. Irvine, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the German Mutual Insurance Association in

Louisville.

An act to incorporate the Cypress Pond Draining Company.

An act to declaring Wolf creek, in Lawrence county, a navigable stream.

An act to incorporate McKee Lodge, No. 35, of Independent Order of Odd Fellows, at Versailles.

An act for the benefit of Elisha Breeding, late sheriff of Letcher

An act for the benefit of James S. Coleman, late Sheriff of Ohio county.

An act for the benefit of John Friend, late sheriff of Floyd county.

An act to amend the charter of the city of Covington.

And had found the same truly enrolled.

The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Irvine reported that the committee had per-

formed that duty.

The Senate took up for consideration a bill to establish the Merchant's Bank of Kentucky.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Ken-

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tucky, That there shall be, and is hereby established, a bank by the name of "The Merchants' Bank of Kentucky," with a capital of one million dollars; to be divided into shares of one hundred dollars each, and to be subscribed and paid for by individuals, companies and corporations, in the manner hereinafter specified; which subscribers and shareholders, their successors and assigns, are hereby created a body politic and corporate, by the name and style of the Merchants' Bank of Kentucky, and shall so continue a body politic and corporate until the first day of May, one thousand eight hundred and eighty-six, (1886) and by that name, under the restrictions hereinafter named, shall be competent to contract and be contracted with, to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended in all courts or places, in all matters whatsoever, as natural persons, with full power to acquire, fold, possess, use, occupy and enjoy: and the same to sell, convey and dispose of all such real estate, goods, effects and chattles as shall be convenient for the transaction of its business or which may be conveyed to said bank, as surety for any debt, or purchased in satisfaction of any judgment or decree in favor of the bank, or in the purchase of any property on which said bank may have a lien; and said bank may have and use a common seal, change, alter and renew the same at pleasure, and it may ordain and put in execution such by-laws, rules and regulations for the good government of said bank, and the prudent and efficient management of its affairs as may be thought most proper: Provided, That they be not contrary to the constitution and laws of this State or the United

§ 2. The said bank shall have and keep its principal office of discount and deposit in the city of Covington, and it shall have two offices of discount and deposit in other parts of the State, to-wit: at Eddyville and Burksville. The business shall be to loan money, discount promissory notes and bills, and deal in exchange, and it may issue bills and bank notes, payable to bearer on demand, at any of its offices of discount and deposit, but not of less denomination than five dollars; and it shall not issue any notes, bills, checks or orders, payable to bearer, other than such as are made payable on demand. The promissory notes made payable to any person or persons, and payable and negotiable at the principal office of discount and deposit, or any of the branches of any other bank and indorsed to and discounted by said bank, shall be, and they are hereby, put on the same footing as foreign bills of exchange, and remedy may be had jointly or severally against the drawers and indorsers, and with like effect, except as to damages and except that in a regular course of administration they shall have no other or greater dignity or priority of payment than other notes. And the said bank shall not, directly or indirectly, deal or trade in any thing except loaning money, and exchange, and in gold or silver coin and bullion, or in the sale of goods, chattles, rights and credits, really and truly pledged for money lent, and not redeemed in time, or goods which shall be the proceeds of its lands: Provided, That at no time shall the amount employed in bills of exchange exceed one-third of the capital stock.

§ 3. The bank notes to be issued by said bank shall be signed by the

president of the principal bank and countersigned by the cashier thereof; and said bank shall be restrained from issuing checks or orders,
payable at any of its offices or elsewhere, to any person or order, or
to any person or bearer, with the intent that the said checks or orders
shall circulate as bank notes; and the bank notes so signed and issued
by this bank, shall not be of less denomination than five dollars.

§ 4. Said bank shall not at any time owe, whether by bond, bill, note, or other contract, an amount exceeding twice the amount of the capital stock actually paid in, exclusive of sums due on deposits; and in cases of excess, the president and directors, under whose administration it shall have taken place, shall be liable for any or all of the debts of said bank, in their individual capacities, by a joint or several actions of debt against them or any of them, their heirs, executors, or administrators, in any court having jurisdiction thereof, by any creditor or creditors of said bank, and shall be prosecuted to judgment and execution, any condition or agreement to the contrary notwithstanding: Provided, That if the president or any of the directors may be absent when the excess may be contracted or created, or being present shall dissent from the act by which the excess is about to be contracted or created, he or they shall not be liable under this section, if he or they shall, within ten days from the creation of such excess or discovery thereof, make affidavit of their absence or dissent, and file the same for record with the recording officer of the city or county, and shall, moreover, within ten days, give notice thereof in one of the public newspapers printed in this State, and transmit a copy thereof to the Governor of this State for the time being, and shall, in said notice, call a meeting of the shareholders, which they are hereby authorized to do.

§ 5. Said bank shall not, at any time, suspend, fail, or refuse payment, in gold or silver, of any of its notes, bills, or other obligations due and payable, or any moneys on deposit; and in such case, the officers, in the usual banking house at the office of discount and deposit, where the same shall be payable, shall refuse or unreasonably delay payment, in gold or silver, of the amount of any note there demandable and presented for payment, or the payment of any money previously deposited at such office, and then due and demandable, by any person or persons entitled to receive payment of the same, said bank shall be liable to pay damages at the rate of six per cent. per annum, on the amount thereof, from the time of such failure, refusal, or delay, until payment thereof; and for such failure or refusal, or for any violation of this charter, the same may be forfeited, and a scire facias may be sued out in the name of the commonwealth, by the attorney general, by order of the governor for the time being; and such proceedings may be had as to declare such forfeiture by the judgment of a court; and from and after the judgment of forfeiture, said corporation shall cease to exercise any of the powers and privileges hereby granted: Provided, Said forfeiture shall not be construed to prevent said bank from suing and being sued, and continuing its operations for the purpose of closing its concerns, nor from making any contracts that may be convenient and proper for that purpose.

§ 6. The real and personal estate, business, property, funds, and prudential concerns of said bank, and the administration of its affairs

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shall be under the direction, management, and control of not less than five nor more than ten directors, chosen as hereinafter directed; they shall be stockholders, and after the first election, shall have been stockholders at least three months previous to their election; they shall be residents of this State, and citizens of the United States; and after the first election, they shall be elected annually on the first Monday in May. Each director shall be a stockholder in his own right; they shall hold their offices for one year, and until their successors shall be chosen. The directors shall be chosen by the shareholders, who shall meet at the annual elections in the city of Covington, at such time and place as the directors for the time being shall direct, and notice of the time and place of holding the annual elections shall be published in two authorized newspapers at least ten days next preceding the election. The election shall be by plurality of votes, to be counted and read in public, after all the votes are taken. The election shall be conducted under the direction of three shareholders, acting under oath, and previously chosen by the directory, and not of their own body. No person, who is a director or officer of another bank, shall be eligible as a director of this bank; and any director becoming a director or officer in another bank, or while under protest in this bank for the non-payment of debts, shall be held to have vacated the office of director of this bank; nor shall two partners in trade be eligible as directors in this bank at one and the same time; and if the president, cashier, or any director shall fail or become insolvent after his election or appointment, he shall become incapable to serve as an officer in this bank, and shall be held to have vacated his office or place, nor shall he be appointed to serve in this bank until his debts are paid-until he obtains a full discharge from the same. If from any cause an election shall not take place on the day fixed by this charter, the corporation, for that cause, shall not be dissolved; but any or all elections held in good faith shall be valid as if held on the day designated in the act of incorporation.

§ 7. At all meetings of the stockholders, and at all elections under this charter, each and every shareholder, whether individuals, companies or corporations, shall be entitled to one vote for each share held in their own right up to fifty shares, and for every five over fifty, up to one hundred, one vote; and for every twenty shares, over one hundred, one vote. After the first election no share shall entitle the holder to a vote, unless the same has been held by the person claiming to vote on the same, at least three months prior to that time, and so appear on the books of the bank. Any stockholder entitled to vote may do so in person or by proxy, such proxy being granted to a stockholder who is not the president, or a director, the clerk, cashier or teller of the bank; and any stockholder who is not a citizen or resident of

the United States, shall not be entitled to vote on his stock.

§ 8. The directors chosen for the principal bank, under the provisions of this charter, shall, as soon as may be after the first and every annual election or other election of directors, elect a president from their own body, who shall preside at the board until the next election; and in case of the death, absence, or resignation, or vacation of the office of president, the residue of the directors shall choose a president pro tempore: they shall fill all vacancies which may occur in their own body

during the time for which they were chosen, and appoint a cashier, clerks, agents or servants of the principal bank, fix their compensation, define their powers, and prescribe their duties, and shall require of them such bonds, and in such penalties, as they may deem right, which bonds shall be laid before the directory and entry made thereof on record, and the directory may, from time to time, require such additional bonds and sureties, with such penalties and conditions, as, in their opinion, will secure the bank from loss or damages; and all such officers shall hold their places during the pleasure of the president and directors.

§ 9. The president and directors of the principal bank, (any four of whom shall form a quorum,) may, from time to time, make such bylaws, rules and regulations, for their own government, and for the management and disposition of the property and estate, funds and business of the bank, and all matters appertaining thereto, which they may deem expedient, not contrary to the provisions of this charter, or the by-laws, rules, and regulations, which the stockholders, at their annual or other meetings, may, from time to time, prescribe: Provided, however, That a concurrence of a majority of all the directors shall be necessary

in the adoption of any of the by-laws of the institution.

§ 10. The president and directors shall hold stated meetings at least once a week, on such days, and at such hour of the day, as they may, from time to time, appoint, and at such other times as they may agree on; and they shall attend called meetings at any time the president shall direct, and all questions before the board shall be decided viva voce, and on the request of any two members, the ayes and noes on any proposition submitted, shall be entered or recorded in the journal of their proceedings, and no vote shall be re-considered when a less num-

ber are present than when the vote was given.

δ 11. The president and directors of the principal bank shall establish two branches-one at Eddyville, in the county of Lyon, and one at Burksville, in the county of Cumberland. The amount of capital which shall be employed at the principal bank, shall be five hundred thousand dollars, and two hundred and fifty thousand at each of the branches: Provided, That when the bank goes into operation, if with less than the whole stock taken or whole amount paid in, the capital stock at any one of the points where such principal bank or branch may be located, shall be applied to said bank or branch at such point: And provided further, That stock taken at other points shall be ratably divided among them, until the amount allowed herein to either be supplied, and if either or more be supplied, then the stock subscribed elsewhere to be ratably divided, until all are supplied; and no branch shall be put in operation, unless the stock taken at the point or assigned to them, shall be equal to their proportionable amount of the stock necessary to be subscribed and the amount of money paid in necessary to put said bank into operation.

§ 12. There shall be seven directors for each of the branches, to be chosen at the same time and manner of the directors of the principal bank, and to possess the same qualifications, one of whom shall be appointed president by the directors of the principal bank. The directors of the principal bank shall presibe such rules and regulations, for the

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government of the branches, as they may deem right, and shall have power to enforce the same. The president and directors of the principal bank shall have power to fill any vacancy in the directory of the branches.

§ 13. The directors of the principal bank shall appoint a cashier of the principal bank, and a cashier for each of its branches. The president and directors of each of the branches shall appoint a clerk and such other officers as the president and directors of the principal bank shall direct. Not less than a majority of the directors of the branches, including the president, shall form a quorum for the transaction of business.

§ 14. No dividend of the profits of said banks shall be declared until there shall be a surplus of ten thousand dollars for each million of dollars of the capital stock actually paid in, and the surplus or contingent fund so raised shall never be reduced below that rate on all stock paid for; and it shall be the duty of the president and directors of the principal bank on the first Monday in January and July, of each year, to declare a dividend of the profits, over and above the contingent fund aforesaid, among the stockholders, payable to them on demand, of which dividend and the time and place of payment, notice shall be given, and if, at any time, said president and directors shall declare a dividend lessening the capital stock or lessening the contingent fund aforesaid, or by any mismanagement or neglect of duty, shall cause any loss or deficiency of, or in the capital stock of said bank, the directors consenting thereto, or guilty of such mismanagement or neglect of duty, shall be jointly and severally liable to the stockholders, or any creditor of said bank who may be injured thereby, and the president and each director shall be deemed guilty of such mismanagement or neglect, or to have consented to such dividend unless he forthwith give notice of his dissent thereto, or his absence from the institution in like manner, as provided in the fourth section of this charter, and call a meeting of the stockholders as herein provided.

§ 15. It shall be the duty of the cashier of the principal bank, on the 1st day of July, 1856, and on the 1st day of July in each succeed ing year, during the continuance of this charter, to pay to the treasury of this commonwealth fifty cents on each one hundred dollars of stock held and paid for in said bank, which shall be in full of all tax or or bonus: Provided, That no tax shall be paid until said bank goes into operation. And provided further, That the tax or bonus hereby proposed to be imposed on each share of stock in this bank, or such as shall hereafter be imposed on each share, is hereby set apart and forever dedicated to the cause of education on the common school system; and whenever the same, or any part thereof shall be diverted otherwise by legislative enactment, said bank shall then be exonerated from

the payment of any tax or bonus whatever.

§ 16. The board of directors of the principal bank shall allow to the president thereof, and to the presidents of the branches, such reasonable compensation for their services as they may from time to time deem just, but no compensation shall be allowed to any director of the principal bank or any of the branches, unless the same be voted by the stockholders at some regular meeting.

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§ 17. It shall be the duty of the president and directors of the principal bank, and they are hereby required, as often as once in three months, to cause a strict examination to be made of the accounts of the cashier, and a full and complete statement to be made and entered on the journal of the proceedings of the board, and they shall cause the president and directors of the several branches to make a like examination and statement of the accounts of the cashier once every three months, or oftener if deemed necessary, to be made and entered on the journal of their proceedings.

§ 18. That it shall not be lawful for the cashier, clerk, teller, or other subordinate officer of the principal bank or any of its branches, either directly or indirectly, to engage in, or carry on any other business than that of said bank, without the special license of the president and directors of the principal bank; nor shall any of them, either directly or indirectly, become indebted to said bank, either as borrower, indorser, surety or otherwise.

§ 19. If the cashier, clerk, teller, agent, or other officer of the principal bank or any of the branches, shall, without the authority of the president and directors of the bank or branch, as the case may be, appropriate any of the funds of said corporation to his own use, or to that of any other person, or shall willfully fail to make correct entries, or shall knowingly make false entries on the books of the bank, with intent to cheat or defraud the corporation or any person, to hide or conceal any improper appropriation of the funds of the corporation, the officer so offending shall be deemed guilty of felony and shall, upon conviction thereof, be sentenced to confinement in jail or penitentiary of this State, for a period of not less than five nor more than twenty

§ 20. The president and directors of the principal bank, shall keep a record or journal of all their proceedings, which they shall produce to the stockholders when by them demanded at any regular meeting, and they shall be open for inspection by any committee appointed by the legislature; and the president and directors of the principal bank, shall cause the president and directors of the branches to keep a record or journal of all their proceedings, which they shall produce to the president and directors of the principal bank, at all times, or to any person or persons authorized by them to inspect the same; and which shall be open to the inspection of the stockholders at any general meeting, or to a committee appointed by the legislature.

§ 21. It shall be the duty of the president and directors of the principal bank, during the first week of the session of the legislature in each year, to transmit to the Secretary of State, an accurate and just statement of the condition of the principal bank and branches, as it existed on the first day of the preceding month; which statement shall specify the amount of capital stock actually paid in, and the amount not paid in, and the value of the real estate belonging to the bank and its cost, the total amount of the debts due to and from the bank, the amount of gold and silver and other coined metal and bullion on hand, the amount deposited, the amount of bills in circulation, and the amount of bills on hand of other incorporated banks, and the amount of notes in circulation of each denomination issued by the bank, the rate and

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amount of each dividend of profits made by the bank, with the amount of the surplus profits, or the contingent fund, which statement the Governor of the commonwealth shall cause to be laid before the legislature of Kentucky, and they shall, when required by the legislature, report all bad and doubtful debts.

§ 22. The presidents, cashiers, directors, clerks, tellers, and other officers of the principal bank and branches, previous to entering on the discharge of their duties, shall take an oath before some justice of the peace of this State, faithfully, honestly, impartially, and to the best of their skill and judgment, to discharge all the duties of their respective offices and stations, under this charter, or which may be required of them by the by-laws, rules, and regulations of the corporation.

§ 23. Said bank shall not contract for, or receive a greater rate of interest than at the rate of six per centum per annum, for the loan or forbearance of money, and interest on promissory notes, negotiable and payable at said bank, and their discount shall be calculated on the true time such notes have to run, including three days of grace, and shall be paid in advance and on banking principles, in conformity with Rowlett's tables of discount and interest.

§ 24. That the president and directors shall issue certificates of stock to the holders thereof, for so much as shall be paid for, and the shares of the capital stock of said bank shall be considered and held in law as personal property, and assignable and transferable only in such manner and at such place or places as the president and directors of the principal bank shall, by their by-laws prescribe.

§ 25. The certificates of deposit, bank bills or notes, bills of exchange, postnotes, or orders, issued by said bank, shall be signed by the president, and countersigned by the cashier, promising or requesting the payment of money to any person or persons, and to order or bearer, as the case may be, shall be obligatory on said bank, although not under its seal; and such of said notes or bills, as shall be payable to order, shall be transferable by assignment, and those made payable to bearer by delivery.

§ 26. That the general meeting of the stockholders shall be held annually on the first Monday in May, in each year, in the city of Covinton, at the time of the annual elections; to which meetings the president and directors of the principal bank shall present an accurate statement of the condition and affairs of the bank; and general meetings of the stockholders may be called as provided in the charter, or by the president and directors of the principal bank, when they esteem it desirable, or by any number of stockholders the by-laws of the corporation shall require.

§ 27. The legislature shall have the right to investigate the situation and affairs of said bank, by any committee they may appoint for that purpose, from time to time.

§ 28. The Franklin circuit court shall have jurisdiction to try the forfeiture of this charter, for the violation of any of the provisions of the same. The proceedings shall be by scirc facias, alleging and specifying the acts of forfeiture relied on, and shall only be sued out at the instance of the Attorney General when, directed to do so by order of the legislature or the Governor for the time being.

§ 29. That Wm. T. Phipps, T. W. W. DeCourcey, J. H. French, L. Hollister and Marcus M. Tyler are hereby constituted and appointed commissioners to open books and receive subscriptions for the stock of said bank, and to appoint commissioners at points where branches are to be located to receive subscriptions of stock; any three of the commissioners at Covington shall superintend the election of the first board

of directors.

§ 30. The said commissioners shall have power, and they are authorized and required, at such time as they may deem expedient, after giving at least ten days notice thereof in some of the newspapers printed in this State, to open books for the subscription of capital stock of said bank, at Covington, Eddyville, Burksville, and at such other places as the commissioners at Covington may deem advisable, and cause books to be kept open until at least two thousand five hundred shares shall have been subscribed, when the same may be closed, or the commissioners at Covington may order them closed sooner, if deemed advisable, and re-opened whenever they may be required by the commissioners of one or more of the branches, as they may think fit; and if more than ten thousand shares shall have been subscribed by individuals, companies, and corporations, the commissioners shall deduct the excess from the largest subscriptions, in such manner that no subscription shall be reduced and leave any other subscription larger. The commissioners at Covington may appoint commissioners in any city in the United States to receive subscriptions of stock.

§ 31. The commissioners, or president and directors of the mother bank, shall cause the books for the subscription of stock to be re-opened whenever and wherever they may be requested so to do, by the commissioners, or a majority of them, at the place or places where branches or any one or more of them are to be established as aforesaid, or by the president and directors of any one or more of the branches which may have been organized with less than the whole amount of capital stock hereinbefore allotted to them, and the said books shall be kept, or, if closed, shall, from time to time, be re-opened upon request as aforesaid, until the whole amount of capital stock of said bank shall be

taken.

§ 32. If the whole ten thousand shares of capital stock shall not be taken when the books of subscription shall first be opened by the commissioners, the president and directors of the principal bank may cause the books to be opened, from time to time, and at such times as they may direct, and cause them to be kept open if they choose, until the whole balance shall be taken; and the said president and directors may require such premium on the stock sold at the re-opening of books as they shall deem right, and such premium shall be the property of the bank.

§ 33. When not less than twenty-five hundred shares of the capital stock shall have been taken, and the commissioners shall have closed the books, it shall be their duty to give notice in some public newspaper printed in this State, and appoint a day and place in the city of Covington, for the election of the first board of directors of said bank, who shall hold their offices until the next succeeding annual election, and not less than ten nor more than thirty days notice

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shall be given of the time and place of electing the said board of directors, and some three of the commissioners shall act as inspectors of the election, and shall take the proper oaths and perform all the

duties of inspectors of elections in like cases.

§ 34. The payment of the shares of the capital stock held by individuals, companies, and corporations, shall be in gold and silver, and at the times and in the manner following, viz: five dollars on each share to the commissioners at the time of subscribing, and five dollars on each share within ten days after the election of the first board of directors, and twenty dollars on each share within sixty days thereafter, and the residue shall be paid in such installments as the president and directors of the principal bank shall require: Provided, That no more than twenty dollars shall be called at any one time on each share. nor shall the time between the calls be less than ninety days.

§ 35. Should any of the subscribers to the capital stock of said bank fail or refuse to pay for their stock as herein provided, the president and directors, first giving notice in at least two public authorized newspapers printed in this State, for the space of thirty days, by a resolution entered on the records, may forfeit such stock, and proceed, at such time as they may deem expedient, to re-sell the same, and all partial payments made on any stock which shall be forfeited, shall be

held for the benefit of the bank.

§ 36. So soon as seventy-five thousand dollars of the capital shall have been paid in, by individuals, companies, and corporations, in gold or silver, the president and directors shall cause the Governor of this commonwealth to be notified thereof, who is hereby authorized to appoint some suitable person to count the money so paid in as capital stock, and to take the oath of the president, and not less than three of the directors, that the same has been paid in as stock, bona fide, and make due return thereof to him; and, on such appearing to be the fact, the Governor is authorized to issue his proclamation, that the amount hereby required to be paid in, and in the funds required, has been done; and the said bank is authorized to commence operations as a banking institution, and, from and after the first proclamation, it shall be lawful for said bank to commence business.

§ 37. If any stockholder or stockholders in said bank who shall not be a resident or residents of the United States shall vote or authorize any person to vote at the election of directors for said bank, upon the stock held by such person or persons, not a resident or residents of the United States, or which may be held by others, for his or their use and benefit, that such stock so held, and may have been voted upon or authorized to be voted upon, at any of the elections for directors of said bank, shall be forfeited by such stockholder or stockholders, to, and for the

use of said bank.

§ 38. No person shall be eligible to the office of director of the principal bank or branches, who is not the owner of stock in his own right

at the time of his election or appointment.

§ 39. It shall not be lawful for the president or any of the directors of the principal bank or branches, to become bound as security or accommodation indorser on any note or bill discounted in said bank; and a violation of any of the provisions of this section, shall subject

the person violating the same to a penalty of five thousand dollars, to be recovered by action of debt in the name of the corporation, and for their use and benefit.

§ 40. Said bank shall not make any loan of money, or discount any not or bill, on the pledge of the stock of said bank, whatever; and no stockholder shall be allowed to pay any debt he may owe the bank, by the surrender of the stock of the bank, until all the notes of the bank shall have been redeemed, and all the debts of the bank paid; and stockholders who shall become indebted to the bank, shall be compelled to pay their debts in all respects as other persons dealing with the bank; nor shall any stockholder be allowed to make payment of the shares of stock held by him, by means of a loan or loans obtained from said bank: Provided, That any stockholder owing the bank a debt, which shall have become due and remains unpaid, shall not be permitted to transfer his shares or receive a dividend or interest thereon, until such debt be paid, or its payment otherwise secured, except by and with the consent of the president and directors of the principal bank; and they are hereby authorized, and they shall have full power, to sell the same, (by giving thirty days public notice of their intention to do so,) or so much as shall be sufficient to pay such indebtedness, and apply the proceeds thereof to the payment of such indebtedness or on account thereof.

§ 41. The president and directors of the principal bank shall cause their cashier to make semi-annual reports, on the first day of January and July, in alphabetical order, of all the debts due said bank, setting out the amount due by each individual, with the names of the indorsers or securities, and a note of the other securities, the date of the notes or bills and when payable; and they shall cause the cashiers of the branches to make a like complete memorandum, in alphabetical order, of the debts due at the several branches by each individual, with the names of the indorsers or other security, and the dates of the notes and bills, and when payable; one copy of which shall be retained at the branch, another shall be transmitted to the principal bank; and these memorandums shall at all times be open to the examination of the president and directors of the principal bank and branches.

§ 42. The president and directors of the principal bank, may, under the direction of such agent or agents as they may think proper to appoint, keep open books for the transfer of the stock of said bank, at such places, and under such rules and regulations as they may deem proper.

Mr. Hardin moved to amend the bill by making the following the 3d section and transposing the residue of the sections, which is as follows, viz:

§ 3. And for the greater security of the creditors and bill-holders of the Merchants' Bank of Kentucky, the stockholders are hereby declared liable and responsible in their individual and private capacity, to an amount equal to the amount of stock they may own in said bank or its branches, and so soon as the property, valuables and effects of the corporation, have been exhausted and not before, may be proceeded against by a creditor or creditors or holders of the bills of said bank

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or its branches in any court in this commonwealth having jurisdiction of the same.

Which was adopted.

Mr. Smith moved to lay said bill, as amended, on the tuble.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Smith and Hardin, were as follows, viz:

Those who voted in the affirmative, were-

George T. Edwards, David Irvine, William C. Gilliss, Overton P. Hogan, Samuel Howard,

Theodore Kohlhass, John P. Martin, Daniel Matthewson,

John S. McFarland, Charles Ripley, D. Howard Smith, James Sudduth-12.

Those who voted in the negative, were-John S. Barlow, Robert Blain, William C. Bullock, Sylvester Harris, D. K. Weis, John A. Cavan, Nathaniel W. Collins, James D. Headley, William L. Conklin,

William T. Haggin, James D. Hardin, Wiley S. Hay, John Q. A. King,

Shelby Stone, C. J. Walton, John Williams. Tucker Woodson, George Wright-20.

T. W. W. DeCourcey, George W. Silvertooth,

Mr. Stone moved the following amendment to said bill:

In section 29 after the word Hollister strike out the word and, and after the word Tyler insert, and Fayette W. Alexander.

Which was adopted.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Mr. Haggin moved the previous question.

And the question being taken, shall the main question be now put? and it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Irvine and Smith, were as follows, viz:

Those who voted in the affirmative, were-

William C. Bullock, Sylvester Harris, John A. Cavan, James D. Hardin, Nathaniel W. Collins, Samuel Howard, T. W. W. DeCourcey, John Q. A. King, George Wright-13. William T. Haggin,

Shelby Stone, D. K. Weis, Tucker Woodson,

Those who voted in the negative, were-

John S. Barlow, Robert Blain, James F. Buckner,

James D. Headley, Charles Ripley, David Irvine.

Overton P. Hogan, George W. Silvertooth, D. Howard Smith,

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William L. Conklin, George T. Edwards, William C. Gilliss, Wiley S. Hay,

Theodore Kohlhass,
Daniel Matthewson,
John S. McFarland,
John Williams—19.

A bill from the House of Representatives of the following title, was read the first time, viz:

An act to establish the county of Metcalfe.

Ordered, That said bill be read a second time.

The constitutional provision as to the second reading of said bill having been dispensed with,

Ordered, That said bill be referred to the committee on the Propositions and Grievances.

Leave was given to bring in the following bills, viz:

On motion of Mr. Hogan-1. A bill for the benefit of Alfred Kendall, executor of Henry Woodyard, deceased.

On motion of Mr. Smith—2. A bill for the benefit of the Western Baptist Theological Institute.

On motion of Mr. Silvertooth—3. A bill for the benefit of the Mechanics in Columbus and Kentucky City.

On motion of Mr. Edwards—4. A bill to amend and reduce into one the several acts relating to the town of Russellville.

On motion of same—5. A bill to incorporate the Logan county Agricultural and Mechanical Association.

On motion of Mr. Howard—6. A bill to incorporate Lodge No. 64, I. O. O. F.

The committee on the Judiciary was directed to prepare and bring in the 1st and 4th; the committee on Finance the 2d; the committee on Agriculture and Manufactures the 5th; Messrs Silvertooth, Barlow and King the 3d; and Messrs. Howard, King and Sudduth the 6th.

And then the Senate adjourned.

SATURDAY, FEBRUARY 9, 1856.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate of the following titles, viz:

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An act for the benefit of the Kentucky Institution for the education of the Deaf and Dumb.

An act giving additional jurisdiction to the Police Judge of Owingsville.

With an amendment to the last named bill.

That they had passed bills and adopted a preamble and resolutions of the following titles, viz:

An act for the benefit of Littleton Helm.

An act to increase the salary of the Register of the Land Office.

An act supplemental to an act, entitled, an act to amend an act incorporating the town of Mayfield.

Preamble and resolutions in relation to the Missouri compromise, Kansas-Nebraska act, &c.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State, announcing that he had approved and signed enenrolled bills which originated in the Senate, of the following titles, viz:

An act to incorporate the Daviess county Agricultural and Mechanical Association.

An act to incorporate the Providence Mining, Manufacturing, and Shipping Company,

An act for the benefit of William J. Berry and Seth R. Moseley.

An act authorizing the school commissioners of Calloway county to enlarge New Concord school district.

An act to amend the road laws of this commonwealth.

An act requiring County Judges to make settlement with the trustee of the jury fund for all taxes and public moneys in their hands.

An act to authorize the McCracken County Court to increase the county levy to build a Court House and Jail.

An act to authorize the County Court of McCracken county to change the Gray's Ferry road-

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Kohlhass, from the committee on Internal Improvement—1. A bill to incorporate the Winchester and Red River Iron Works Turnpike Road Company.

By same—2. A bill to incorporate the Cumberland River Coal and Lumber Company.

By same-3. A bill for the benefit of George Hampton.

By Mr. King, from the committee on Finance—4. A bill for the benefit of Israel C. Winfrey and A. D. Robinson.

By Mr McFarland, from the committee on Agriculture and Manufactures-5. A bill to incorporate the Kentucky State Agricultural So-

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ciety, and to give encouragement to all arts and sciences connected therewith.

By Mr. Cavan, from the committee on Revised Statutes-6. A bill to amend chapter 7, section 1 of the Revised Statutes.

By same-7. A bill for the benefit of Transylvania University, and the law library of Louisville.

Which were read the first time, and ordered to be read the second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st, 2d, 4th, 6th and 7th were ordered to be engrossed and read a third time; the 3d was re-committed to the committee on Internal Improvement; and the 5th was ordered to be printed and made the special order of the day for the 13th inst., at 11 o'clock, A. M.

The constitutional provision as to the third reading of the 1st, 2d 4th, 6th and 7th of said bills having been dispensed with, and same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid,

Bills from the House of Representatives of the following titles were reported from the several committees to whom they were referred, without amendment, viz:

By Mr. Kohlhass, from the committee on Internal Improvement— An act to regulate the rates of toll on the Wilderness Turnpike road.

By same-

An act declaring Blackford Creek a navigable stream.

By same-

An act to amend the road law of Harrison county.

By Mr. Barlow, from the committee on Finance-

An act for the benefit of William Moody, late Sheriff of Monroe county.

By same-

An act for the benefit of Patrick Napier, late Sheriff of Casey county.

An act for the benefit of G. P. Jolly, late Sheriff of Breckinridge county.

By same-

An act for the benefit of James Clark, late Sheriff of Casey county. Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

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Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Kohlhass, from the committee on Internal Improvement, to whom was referred a bill from the House of Representatives, entitled, an act to provide for appointing a gate-keeper and overseers on the Turnpike Road in Knox county, reported the same without an expression of opinion. The bear as a same as a same a same at a same at a same of carried in

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So the said bill was disagreed to. Mr. Kohlhass, from the same committee, to whom was referred the petition of J. P. Harris, reported the same with the following resoluon, viz:

Resolved, That said petition be rejected.

Which was concurred in.

On motion of Mr. Kohlhass, leave of absence was granted to Mr. Williams indefinitely.

On motion of Mr. McFarland, leave of absence was granted to Mr. Buckner until Monday next.

Mr. Barlow, from the committee on Finance, asked to be discharged from the further consideration of the petition of Ducker, Pemberton & Co. The tiple limited with the first section of the contract of the contract with

Which was granted.

Mr. Martin moved the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Public Printer be authorized to print - copies of the general report of the State Geologist, and to procure the engraving and printing of a suitable number of maps, sections and illustrations, by competent artists; and that the Auditor be directed to draw his order on the Treasurer for the necessary amount to pay the expense of said engraving; and printing of said maps, sections and illustrations, out of any money in the treasury not otherwise appropriated.

Resolve I further, That said report, when printed, be distributed as follows: Ten copies to each of the members of the present General Assembly; one copy to each, of the officers of the present General Assembly; two copies to each State and Territory of the United States; fifty copies to the Smithsonian Institute; two copies to each county in this State, to be deposited in the office of the county clerk; fifty copies to remain in State Library; one hundred and fifty copies for the use of the State Geologist; and the remainder for general distribution by the Governor.

Ordered, That said resolution be referred to the committee on Agriculture and Manufactures.

M .: Cavan, from the committee on Revised Statutes, to whom was referred a bill to amend the law regulating the sale of spirituous liquors, reported the same with an amendment, as a substitute therefor

Said bill reads as follows, viz :

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all laws authorizing the granting of license to any one to seli spirituous or vinous liquors, be and the same are hereby repealed.

§ 2. Persons having spirituous or vinous liquors for sale, and persons engaged in the sale of goods, wares, and merchandise, shall not give, sell, loan, or deliver to any person, any part thereof, or the mixture of either, to be drank in the house, or on the premises, or adjacent thereto; and if it is so drank, it shall be evidence of a sale, gift, loan, or delivery for that purpose. And sales, gifts, loans, and deliveries by persons in the family, or in the service of the owner for the time being, shall be considered as sales, gifts, loans, and deliveries by the owner.

§ 3. No person except the owner of a slave, or the parent of a minor white person, shall give, sell, loan, or deliver to a slave or white person under the age of twenty-one years, any spirituous or vinous liquors or the mixture of either. Nor shall any person whatever sell, give, or loan, or deliver to any free negro, any spirituous or vinous liquors, or the mixture of either. Physicians administering spirituous or vinous liquors are excepted from the provisions of this act.

§ 4. Every person offending in any of the particulars of the preceding sections, shall be subject to a fine of ten dollars; and violating in any respect twice shall constitute them the keepers of tippling houses, and subject them to the penalties now imposed by law for such an offense.

§ 5. There shall be no remedy in any of the courts of this State upon any contract for the purchase or sale of any spirituous liquors in quantities less than a gallon. There shall be remedy in all the courts of this State having jurisdiction of like sums to recover back money or property paid upon the purchase of any spirituous liquors under a gallon as aforesaid, or in consideration thereof, which may be asserted by the purchaser, his widow, heirs, and personal representatives, or any one or more of them, at any time within five years from the accrual of cause of action.

§ 6. A second conviction of a violation of this act, or any other statute against the sale of spirituous or vinous liquors, shall subject the party to double the penalty imposed, and it shall moreover be the duty of the court trying the case, forthwith to issue writ to the proper officer, commanding him to seize and destroy all the spirituous or vinous liquors in the defendant's possession, and also the vessels used in keeping or sale thereof.

§ 7. If any slave enter any house in which spirituous liquors are kept for sale, in the night-time or on the Sabbath day, without the authority of the master of such slave for the time being, it shall be prima facie evidence against the owner and keeper of such house of a violation of the third section of this act.

§ 8. No person shall keep any house, room, booth, shanty, or other place for the purpose of drinking spiritueus or vinous liquors. Any person violating this section, shall be adjudged to be the keeper of a tippling house, and shall be subjected to the penalty now provided by law for that offense.

§ 9. Any person who shall be the keeper of a store or grocery, who

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shall employ or keep in his service as a salesman, any negro, free or slave, shall be subject to a fine of - dollars.

The substitute reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the time this act takes effect, no person shall be allowed to sell spirituous liquors by the small, to be diank on the premises, until he shall obtain a license from the County Court, and shall have paid to the clerk of said court, the sum of twenty-five dollars, and executed bond and taken oath as now required by law.

§ 2. That it shall be the duty of County Judges and others authorized to grant such license, to enquire diligently into the propriety of granting such license in every instance of application to them; and no such license shall be granted to any person or persons until it shall be made clearly to appear that it is essential to the comfort or necessities of tavelers or the public; and if such authority grant any license contrary to the true intent and meaning of this act, it shall be deemed a misdemeanor, and the Judge or other authority so offending shall be fined in a sum not less than one hundred nor more than five hundred dollars, at the discretion of a jury, for each offense.

§ 3. Be it further enacted, That all merchants now entitled, by existing laws, to license to sell spirituous liquors in quantities not less than a quart, shall, after this act takes effect, pay twenty dollars for license instead of the price now prescribed by law.

§ 4. Druggists and apothecaries shall not sell spirituous liquors without a license, first had from the County Court, and for which they shall first pay to the clerk ten dollars. And any one offending against this provision shall be liable to the same penalty that is now, or may hereafter be prescribed for a like offense by merchants and tavern-keepers. No license shall be granted for a longer time than one year.

§ 5. If any slave enter any house, or other place in or at which spirituous liquors are kept for sale, in the night-time, or on the Sabbat's day, without the authority of the master of such slave for the time being; or if any such place be generally reputed a place where negroes get spirituous liquors; or if any negro be seen drunk at such place, these facts may be given in evidence in any prosecution against the keeper, owner or manager of such place. This act shall take effect from the 1st day of June, 1856.

Mr. Gilliss moved that said bill, as amended, be referred to the committee on the Judiciary.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Walton and Weis, were as follows, viz:

Those who voted in the affirmative, were-

James D. Hardin, John S. Barlow, William C. Bullock, Sylvester Harris, John A. Cavan, Wiley S. Hay, Nathaniel W. Collins, Samuel Howard, Shelby Stone, William L. Conklin, David Irvine,

John S. McFarland, Charles Ripley, D. Howard Smith, James Sudduth,

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T. W. W. DeCourcey, John Q. A. King, D. K. Weis, George T. Edwards, Theodore Kohlhass, Tucker Woodson, William C. Gilliss, John P. Martin, George Wright-25. William T. Haggin,

Those who voted in the negative, were-

Overton P. Hogan, Charles H. Allen, C. J. Walton-5. James D. Headley, George W. Silvertooth,

Mr. Walton, from a select committee, reported a bill to amend the law in relation to commissioners of tax.

Which was read the first time, and ordered to be read a second . time.

The constitutional provision as to the second reading of said bill · having been dispensed with,

Mr. Weis moved to lay said bill on the table.

Which was decided in the affirmative.

Leave was given to bring in the following bills, viz:

On motion of Mr. Ripley-1. A bill to repeal section 340 of the criminal code and substituting a new provision in lieu thereof.

On motion of Mr. Wright-2. A bill to change the time of holding the Quarterly Courts in Warren and Edmonson counties.

On motion of Mr. DeCourcey-3. A bill to amend section 16 of the Code of Practice.

On motion of Mr. Gilliss-4. A bill to amend chapter 102 of Revised Statutes, entitled, treasury warrant claims.

On motion of same-5. A bill to regulate the streets of the town of Williamsburg.

Ordered, That the committee on the Judiciary prepare and bring in the 1st; the committee on County Courts the 2d and 5th; the eommittee on the Codes of Practice the 3d; and the committee on Revised Statutes the 4th.

Mr. Irvine, from the committee on Enrollments, reported that the committee had examined enrolled bills and resolutions which originated in the Senate of the following titles, viz:

An act to incorporate the Lowell and Back Creek Turnpike Read Company in Garrard county.

An act to authorize the County Court of Madison to sell the Poor House lands in said county.

An act to incorporate Olive Branch Encampment.

An act to change the time of holding the February and August terms of the McCracken County and Quarterly courts.

An act for the benefit of Addison Williams, late Circuit and County Court Clerk of Whitley county.

An act authorizing the County Court of Larue to sell the Poor Villiam L. Consilin, David living House lands of said county.

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An act to authorize a special election in the city of Louisville.

An act to authorize the trustees of Olivet Church to sell the church and lot upon which it stands.

An act to incorporate the Hawkins Branch Turnpike Road Company.

An act for the benefit of N. H. Ryan, of Calloway county.

An act to incorporate the Kirksville Turnpike Road Company in Madison county.

An act for the benefit of Ann White.

An act for the benefit of Henry Grinstead, Sr., of Hart county.

An act appropriating money for the preparation of registration reports and tables.

An act for the benefit of the Judge of the Ohio County Court.

An act for the benefit of L. P. Bartlett, of Hickman county.

An act authorizing the railroad collector of McClacken county to appoint one or more deputies.

An act for the benefit of Edwin Trimble, late clerk of Floyd county.

An act to legalize the proceedings of a special term of the Harlan county court.

An act in relation to the Seminary fund of McCracken county.

An act to incorporate Kenton Lodge, No. 24, I. O. O. F.

An act to amend an act creating a Sinking Fund for the county of Mason.

An act to amend the charter of the Hickman and Obion railroad company.

An act for the benefit of the Circuit Court clerk of Harrison county.

An act for the benefit of Turnpike Road Companies in Campbell county.

An act for the benefit of Nimrod D. Wheeler, late Sheriff of Pendleton county.

An act for the benefit of the Kentucky institution for the education of the deaf and dumb.

An act for the benefit of the sheriff of Harrison county.

An act for the benefit of John W. De Jarnett, late Sheriff of Grant county.

An act to create an additional voting precinct in Campbell county,

An act to incorporate the Barren County Railroad Company. An act to incorporate the Buena Vista Springs Company.

An act to divide the State into thirteen Judicial Districts.

Preamble and resolution directing the Public Printer to publish preamble and resolutions in reference to the death of Henry Clay.

Resolution in relation to the inspection of tobacco, pork and flour in New Orleans.

And had found the same truly enrolled.

The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature theretc, and they were delivered to the committee to be presented to the Governor for his approval and signature:

After a short time Mr. Irvine reported that the committee had per-

formed that duty.

Mr. Cavan, from the committee on Revised Statutes, reported a bill to amend the law in relation to the processioning lands.

Which was read the first time, and ordered to be read a second

The constitutional provision as to the second reading of said bill being dispensed with,

And after some discussion had thereon, the hour for taking up the

orders of the day arrived.

The Senate took up for consideration a bill to establish the Planter's Eank of Kentucky.

Said bill was then amended.

Said bill, as amended, reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That there shall be, and is hereby established, a bank by the name of "The Planters' Bank of Kentucky," to be located at Paducah, Kentucky, with a capital of four hundred thousand dollars; to be divided into shares of one hundred dollars each, and to be subscribed and paid for by individuals, companies and corporations, in the manner hereinafter specified; which subscribers and stockholders, their successors and assigns, are hereby created a body politic and corporate, by the name and style of the Planters' Bank of Kentucky, and shall continue as a body politic and corporate until the first day of May, 1885; and by that name, under the restrictions hereinafter named, shall be competent to contract and be contracted with, to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended in all courts or places, in all matters whatsoever, as natural persons, with full power to acquire, hold, possess, use, occupy and enjoy: and the same to sell, convey and dispose of all such real estate, goods, effects and chattles as shall be convenient for the transaction of its business or which may be conveyed to said bank, as surety for any debt, or purchased in satisfaction of any judgment or decree in favor of the bank, or in the purchase of any property on which said bank may have a lien; and said bank may have and use a common seal, change, alter and renew the same at pleasure, and it may ordain and put in execution such by-laws, rules and regulations, for the good government of said bank, and the prudent and efficient management of its affairs as may be thought most proper: Provided,

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That they be not contrary to the constitution and laws of this State or the United States.

§ 2. The said bank shall keep its only office of discount and deposit in the town of Paducah. The business shall be to loan money. discount promissory notes and bills, and deal in exchange, and it may issue bills and bank notes, payable to bearer on demand, at its office of discount and deposit, but not of less denomination than one dollar. It shall not issue any notes, bills, checks or orders, payable to bearer, other than such as are made payable on demand. The promissory notes made payable to any person or persons, and negotiable and payable at its office of discount and deposit, or at any other bank or banking house, and indorsed to and discounted by said bank, shall be, and they are hereby, put on the same footing as foreign bills of exchange, and remedy may be had jointly or severally against the drawers and indorsers, and with like effect, except as to damages and except that in a regular course of administration they shall have no other or greater dignity or priority of payment than other notes. And the said bank shall not, directly or indirectly, deal or trade in any thing except money, and exchange, and in gold or silver coin and bullion, or in the sale of goods, chattles, rights and credits, really and truly pledged for money lent, and not redeemed in time, or goods which shall be the proceeds of its lands. They shall not charge a greater rate of interest or discount upon bills of exchange than is permitted by the act incorporating the Peoples' Bank of Kentucky, nor shall said Bank deal in what is termed kites; and a violation of this section, shall be deemed a good cause of forfeiture of this charter.

§ 3. The bank notes to be issued by said bank shall be signed by the president and cashier. And said bank shall not issue checks or or ders, payable elsewhere, to any person or persons, with the intent that said checks shall circulate as bank notes.

§ 4. Said bank shall not at any time owe, whether by bond, bill, note, or other contract, an amount exceeding twice the amount of the capital stock actually paid in, exclusive of sums due on deposit; and in cases of excess, the president and directors, under whose administration it shall have taken place, shall be liable for any or all of the debts of said bank, in their individual capacities, by a joint or several actions or modes of proceedings usual in the courts of this commonwealth, against them or any of them, their heirs, executors, or administrators, in any court having jurisdiction thereof, by any creditor or creditors of said bank, and shall be prosecuted to judgment and execution, any condition or agreement to the contrary notwithstanding: Provided, That if the president or any of the directors may be absent when the excess may be contracted or created, or being present shall dissent from the act by which the excess is about to be contracted or created, he or they shall not be liable under this section, if he or they shall, within ten days from the creation of such excess or discovery thereof, make affidavit of their absence or dissent, and file the same for record with the recording officer of the county, and shall, moreover, within ten days, give notice thereof in one of the public newspapers printed in this State, and transmit a copy thereof to the Governor of this State for the time being, and shall, in said notice, call a meeting of the shareholders, which they are hereby authorized to do. And said overissue or excess shall be cause of forfeiture of this charter.

§ 5. Said bank shall not, at any time, suspend. fail, or refuse payment, in gold or silver, of any of its notes, bills, or other obligations due and payable, or any moneys on deposit; and in such case, the officers, in the usual banking house at the office of discount and deposit, where the same shall be payable, shall refuse payment in gold or silver, of the amount of any note there demandable and presented for payment, or the payment of any money previously deposited at such office, and then due and demandable, by any person or persons entitled to receive payment of the same, said bank with its stockholders shall be liable to pay damages at the rate of ten per cent. per annum, on the amount thereof, from the time of such failure or refusal, until payment thereof; and for such failure or refusal, or for any violation of this charter, the same may be forfeited, and a scire facias may be sued out in the name of the commonwealth, by the attorney general, by order of the governor for the time being; and such proceedings may be had as to declare such forfeiture by the judgment of a court; and from and after the judgment of the forfeiture, said corporation shall cease to exercise any of the powers and privileges hereby granted: Provided, Said forfeiture shall not be construed to prevent said bank from suing and being sued, and continuing its operations for the purpose of closing its concerns, nor from making any contracts that may be convenient and

proper for that purpose.

§ 6. The real and personal estate, business, property, funds, and prudential concerns of said bank, and the administration of its affairs, shall be under the direction, management, and control of five directors, chosen as hereinafter directed; they shall be stockholders, and, after the first election, shall have been stockholders at least one month previous to their election. They shall be residents of this State, and citizens of the United States, and stockholders in their own right, and after the first election, they shall be elected annually on the first of April in each year, and shall hold their offices for one year, and until their successors shall be chosen. They shall be elected by the shareholders, who shall meet at the annual elections in Paducah, at such time and place as the directors for the time being shall direct, and notice of the time and place of holding the annual elections shall be published in at least two authorized newspapers, thirty days next preceding the election. The election shall be by plurality of votes, conducted under the direction of three disinterested persons, acting under cath, and previously chosen by the directory. If from any cause the election shall not take place on the day fixed by this charter, the corporation, for that cause, shall not be dissolved, but the stockholders may hold an election on any other day the by-laws shall direct, and at all elections under this charter, each and every shareholder, whether individuals, companies or corporations, shall be entitled to one vote for each share held in their own right up to one hundred shares, and every five over one hundred, one vote. Any stockholder entitled to vote may do so in person or by proxy, such proxy being granted to a stockholder who is not the president, or a director, cashier, clerk, or teller of the bank. Any stockholder who is not a resident of the United States, shall not be entitled to vote.

§ 7. The directors chosen for this bank, under the provisions of this charter, shall, after the first and every election, elect a president from their own body, who shall preside at the board until the next election; and in the case of the death, absence, or resignation, or vacation of the office of president, the residue of the directors shall choose a president pro tempore. They shall fill all vacancies which may occur in their own body during the time for which they were chosen, and appoint a cashier, clerks, agents or servants of the bank, fix their compensation, define their powers, and prescribe their duties, and shall require of them such bonds, and in such penalties, as they may deem right to secure the bank from loss or damage; and such officers shall hold their places during the pleasure of the president and directors.

§ 8. The president and directors of this bank, (any five of whom shall form a quorum for the transaction of business,) may, from time to time, make such by-laws, rules and regulations, for their own government, and for the management and disposition of the property, estate, funds and business of the bank, and all matters appertaining thereto, not contrary to the provisions of this charter; and they shall hold stated meetings at least once a week, and all questions before the board shall be decided viva vocc.

§ 9. No dividend of the profits of said bank shall be declared until there shall be a surplus of one thousand dollars for each one hundred thousand dollars of the capital stock actually paid in, and the surplus or contingent fund thus raised shall never be reduced below that ratio on all stock paid for; and it shall be the duty of the president and directors of the bank on the first Monday in January and July, of each year, to declare a dividend of the profits, over and above the contingent fund aforesaid, among the stockholders, payable to them on demand, of which dividend and the time and place of payment, notice shall be given. And it shall be the duty of the cashier of this bank, on the 1st day July, after this bank shall have gone into operation, and on the 1st day of July in each succeeding year, during the continuance of this charter, to pay to the treasurer of this commonwealth, for the benefit of the common school fund, fifty cents on each one hundred dollars of stock held and paid for in said bank, which shall be in full of all tax or bonus.

§ 10. It shall be the duty of the president and directors of this bank, and they are hereby required, as often as once in three months, to cause a strict examination to be made of the accounts of the cashier, and a full and complete statement to be made and entered on the journal of the proceedings of the board.

§ 11. It shall not be lawful for the cashier, president, or directors, either directly or indirectly, to become indebted to said bank, either as borrower, indorser or otherwise, in any sum exceeding five thousand dollars each; and if the cashier, teller, clerk, agent, or other officer of this bank, shall, without the authority of the president and directors of this bank, appropriate any of the funds of said corporation to his own use, or to that of any other person, or shall willfully fail to make correct entries, with intent to cheat or defraud the corporation or any person,

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the officer so offending shall be deemed guilty of felony and shall, upon conviction thereof, he sentenced to confinement in jail or penitentiary of this State, for a period of not less than five nor more than twenty

§ 12. The president and directors of this bank, shall keep a record or journal of their proceedings, which they shall produce to the stockholders when by them demanded at any regular meeting; and they shall be opened to inspection to any committee appointed by the legislature; and it shall be their duty, during the first week of the session of the legislature, to transmit to the Secretary of State an accurate and just statement of its condition at that time, and to transmit a similar statement on the 1st of January every other year, which statement shall specify the amount of capital stock actually paid in, and the amount not paid in, its real estate, and the value thereof, the total amount of debts due to and from the bank, the amount of gold and silver, and other coined metals and bullion on hand, the amount of stocks on hand, amount of deposits, the amount of bills in circulation, the amount of bills on hands of other incorporated banks, and the amount of notes in circulation of each denomination issued by the bank, the rate and amount of dividend, and the profits made by the bank, with the amount of surplus profits, or the contingent fund; which statement the Governor of the commonwealth shall cause to be laid before the legislature of Kentucky.

§ 13. The legislature shall have the right to investigate the situation and affairs of said bank, by any committee they may appoint for that

purpose from time to time.

§ 14. The circuit court in the county of Franklin shall have jurisdiction to try the forfeiture of this charter, or the violation of any of the provisions of the same. The proceedings shall be by scire facius, alleging and specifying the acts of forfeiture relied on, and shall only be sued out at the instance of the Attorney General when, directed to do so by order of the legislature or the Governor for the time being, from the decisions of which court appeals may be taken as in other

§ 15. The president, directors, cashier, clerks, tellers, and other officers of the bank, previous to entering on the discharge of their duties, shall take an oath before some justice of the peace of this State, faithfully, honestly, and impartially, and to the best of their skill and judgment, to discharge all the duties of their respective offices and stations, under this charter, or which may be required of them by the

by-laws, rules, and regulations of the corporation.

§ 16. Said bank shall not contract for, or receive a greater rate of interest than at the rate of six per centum per annum, for the loan or forbearance of money, and interest on promissory notes. negotiable and payable at said bank, and the discount shall be calculated on the true time such notes have to run, including three days of grace, and shall be paid in advance and on banking principles, in conformity with Rowlett's tables of discount and interest.

§ 17. That the president and directors shall issue certificates of stock to the holders thereof, for so much as shall be paid for, and the shares of the capital stock of said bank shall be considered and held in law latent to cheas, or defined the corporation or only serious.

shall be taken.

as personal property, and assignable and transferable only in such manner and at such place or places as the president and directors of the bank shall, by their by-laws prescribe.

§ 18. That David Watts, John H. Terrell, L. D. Husbands, H. C. King, Alfred Boyd, G. W. Jarrett, R. S. Ratcliffe, James B. Husbands, E. L. Anderson, Wm. F. Norton, and H. Enders, (of the town of Paducah,) are hereby appointed and constituted commissioners to open books and receive subscriptions for the stock of said bank, and they, or a majority of them, shall have power, and they are authorized and required, at such time and place as they may deem expedient, to open books for the subscriptions of capital stock in the said bank at Paducah, and such other places as the commissioners may deem advisable, and cause the books to be kept open until, at least, one hundred thousand shares shall have been subscribed, when the same may be closed; any three of them shall superintend the election of the first board of directors, who may, after their election, open books for the

§ 19. The payment of the shares of the capital stock held by individuals, companies, and corporations, may be paid one-half in the six per cent. bonds of the State of Kentucky, at ninety cents on each one hundred dollars; the remaining half shall be in gold and silver, which shall be paid as following, viz: five dollars on each share to the commissioners at the time of subscription, and ten dollars on each share within ten days after the election of the first board of directors, and the residue shall be paid in such installments as the president and directors of the bank shall require.

subscription of stock until the amount of the capital stock of said bank

§ 20. Should any of the subscribers to the capital stock of said bank fail or refuse to pay for their stock as herein provided, the president and directors, first giving public notice in at least two newspapers printed in this State, for the space of thirty days, by a resolution entered on the record, may forfeit such stock, and proceed, at such time as they may deem expedient, to re-sell the same, and all partial payments made on any stock which shall be forfeited, shall be held for the benefit of the bank.

§ 21. So soon as fifty thousand dollars of the capital shall have been paid in, by individuals, companies, and corporations, the president and directors shall cause the Governor of this commonwealth to be notified thereof, who is hereby authorized to appoint some suitable person to count the money and bonds, so paid in as capital stock, and to take the oath of the president, and not less than two directors, that the same has been paid in as stock, bona fide, and make due return thereof to him; and, on such appearing to be the fact, the Governor is authorized to issue his proclamation, that the amount hereby required to be paid in, and in the manner required, has been done; and the said bank is authorized to commence operations as a banking institution, and, from and after the first proclamation, it shall be lawful for said bank to commence business.

§ 22. The bills and notes of said corporation, originally made payable to bearer, shall be receivable in all payments to the State, and on

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account of county levies, so long as it shall redeem its notes in gold

and silver on demand, unless otherwise directed by law. § 23. The president and directors of this bank, may, under the direction of such agent or agents as they may think proper to appoint, keep open books for the transfer of the stock of said bank, at such places, and under such rules and regulations, as they may deem proper.

§ 24. The stockholders in said bank shall be liable for any or all the debts of said bank in their individual capacities, in proportion to the amount of stock owned by each respectively, at the time of the refusal or failure of said bank; to pay any debt, by a joint or several actions or modes of proceedings, usual in the courts of this commonwealth, against them or any of them, their heirs, executors, or administrators, in any court having jurisdiction thereof, by any creditor or creditors of said bank, and shall be prosecuted to judgment and execution, (any condition or agreement to the contrary notwithstanding.) The stockholders shall be also liable and bound in their individual capacities to the extent of any loss on said bonds to the creditors of said bank.

§ 25. Not more than thirty-three per cent. of the capital of said bank shall be used in dealing in bills of exchange, and a violation of this section is hereby declared a good ground for the forfeiture of this char-

§ 26. This act shall take effect from and after its passage.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on passage of said bill, and it was de-

cided in the negative.

The yeas and nays being required thereon, by Messrs. Martin and Gilliss, were as follows, viz:

Those who voted in the affirmative, were-

John Q. A. King, William T. Haggin, William C. Bullock, Shelby Stone, James D. Hardin, John A. Cavan, D. K. Weis, Nathaniel W. Collins, Sylvester Harris, Tucker Woodson-12. T. W. W. DeCourcey, Samuel Howard,

Those who voted in the negative, were-

D. Howard Smith, David Irvine, John S. Barlow, George T. Edwards, Theodore Kohlhass, James Sudduth, C. J. Walton, John P. Martin, William C. Gillis, James D. Headley, John S. McFarland, George Wright-14. Overton P. Hogan, Charles Ripley,

So the said bill was rejected.

Also, the amendments proposed by the House of Representatives to bills from the Senate of the following titles, viz:

An act creating the office of Police Judge, in the town of Wyoming, in Bath county.

An act allowing a change of venue in certain cases.

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An act giving additional jurisdiction to the Police Judgo of Ow-

Which were twice read and concurred in.

Also, the disagreement of the House of Representatives, to an amendment proposed by the Senate to a bill from that House, entitled, an act to authorize married women to convey real and other property, under power of attorney.

Resolved, That the Senate adhere to their amendment.

Also, preamble and resolutions in relation to the Missouri compromise, Kansas-Nebraska act, &c.

Ordered, That said preamble and resolutious be referred to the committee on Federal Relations.

Bills from the House of Representatives were severally read the first time, viz:

- 1. An act for the benefit of John G. Shacklett.
- 2. An act to incorporate the Savings Bank of Kenton.
- 3. An act authorizing the County Court of Lyon county to establish an additional voting place in said county.
- 4. An act creating an additional justices district in the county of Pulaski.
- 5. An act to change the place of voting in the 5th district in Union county.
- 6. An act to change the place of voting in the 6th district in Clay county.
 - 7. An act for the benefit of James M. Bumpass, of Caldwell county.
- 8. An act to authorize the Christian County Court to change the place of voting in district No. 4, in said county.
 - 9. An act to amend the laws in relation to elections.
- 10. An act to incorporate the Springfield, Maxville and Willisburg Turnpike Road Company.
 - 11 An act for the benefit of E. C. Asheraft.
 - 12. An act for the benefit of Worden Kendall.
 - 13. An act for the benefit of Littleton Helm.
- 14. An act for the benefit of Thos. W. Pickering, late Sheriff of Caldwell county.
 - 15. An act for the benefit of justices district No. 3, in Kenton county.
- 16. An act for the benefit of J. L. Jenkins, late Sheriff of Henry county.
 - 17. An act for the benefit of Edmund M. Chestnut, of Laurel county.
- 18. An act to amend the charter of the Covington and Dry Creek Turnpike Road Company.
- 19. An act to amend and reduce into one all the acts concerning the town of Bowlinggreen.

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20. An act to amend the charter of the town of Alexandria.

21. An act for the benefit of the estate of R. W. Warring, deceased, late Sheriff of Greenup county.

22. An act for the benefit of William Corum, clerk of the Greenup Circuit and County Courts.

23. An act to increase the salary of the Register of the Land Office.

24. An act supplemental to an act, entitled, an act to amend an act incorporating the town of Mayfield.

Ordered, That said bills be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 11th, 12th, 13th, 14th, 16th, 21st, 22d and 23d to the committee on Finance; the 2d to the committee on Banks; the 3d, 5th, 6th, 7th, 8th and 9th to the committee on Privileges and Elections; the 4th and 15th to the committee on County Courts; the 10th and 18th to the committee on Internal Improvement; the 17th, 19th, 20th and 24th to the committee on the Judiciary.

And then the Senate adjourned.

MONDAY, FEBRUARY 11, 1856.

A message was received from the House of Representatives, announcing that they had passed bills and adopted a resolution of the following titles, to-wit:

An act to incorporate the First Presbyterian Church in the city of Augusta.

An act to establish Police Judge and Town Marshal in the town of Mt. Olivet in Bracken and Nicholas county.

An act to authorize the Trigg county court to change the State road from Hopkinsville to Cadiz.

An act for the benefit of the Circuit Court Clerk of Campbell county.

An act to amend the charter of the Greensburg and Taylor county

Turnpike Road Company.

An act to incorporate "College City" in Caldwell county.

An act in aid of counties which have subscribed to the capital stock of the Louisville and Nashville Rail Road.

An act for the benefit of Zachariah B. Sailor, Sheriff of Harlan county.

An act to amend the charter of New Haven.

An act to incorporate the Catholic Benevolent Society of Covington. An act to change the time of holding the August term of the Laurel quarterly court.

An act to reduce the width of High street in Louisville. An act to incorporate Ringgold Lodge, No. 27, I. O. O. F.

An act to abolish a ferry on the Ohio river, in Meade county.

An act to amend an act, entitled, an act to establish the town of Frederick in Warren county, approved 6th Feb., 1839.

An act regulating the Circuit Courts in the third Judicial District.

An act to incorporate the Rough Creek Navigation and Mauufacturing Company.

An act to increase the powers of the Marshal of the town of Mt.

Resolution in relation to furnishing State Charitable Institutions with certain public books.

The Speaker laid before the Senate the report of the Superintendent

Ordered, That the Public Printer print 10,000 copies of said report for the use of the Senate.

Mr. Hogan moved a reconsideration of the vote by which the Senate on Saturday last, rejected "a bill to establish the Planter's Bank of

And the question being taken thereon it was decided in the affirma-

[See bill in Journal of the 9th inst.]

Mr. Bullock moved to amend the 19th section of said bill by inserting the word "either" after the words "one-half," and after the word "Kentucky," and before the word "at" the following: "or Tennessee, the bonds of the town of Paducah, the county of McCracken."

And the question being taken thereon it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Martin and Smith, were as follows, viz:

Those who voted in the affirmative, were-

John S. Barlow, David Irvine. William C. Bullock, John P. Martin,

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Charles H. Allen, James D. Hardin, James F. Buckner, Theodore Kohlhass, D. K. Weis, William T. Haggin, Charles Ripley,

D. Howard Smith, W. H. Wadsworth, George Wright-14.

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Those who voted in the negative, were-

George W. Silvertooth, Sylvester Harris, John A. Cavan, Nathaniel W. Collins, Overton P. Hogan, Shelby Stone, Samuel Howard, James Sudduth, William L. Conklin, T. W. W. DeCourcey, John Q. A. King, C. J. Walton, Tucker Woodson-17. William C. Gilliss, Daniel Matthewson, Wiley S. Hay, John S. McFarland,

Mr. Weis moved to amend same section of said bill by striking out after the word Tennessee, the words "the bonds of the town of Paducah, the county of McCracken."

And the question being taken thereon, it was decided in the affirma-

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Martin and Smith were as follows, viz:

Those who voted in the affirmative, were-

Shelby Stone, James D. Hardin, William C. Bullock, D. K. Weis, John A. Cavan, Sylvester Harris, Tucker Woodson, Nathaniel W. Collins, Wiley S. Hay, T. W. W. DeCourcey, Samuel Howard, George Wright—14. John Q. A. King, William C. Gillis,

Those who voted in the negative, were-

D. Howard Smith, Overton P. Hogan, Charles H. Allen, John S. Barlow, David Irvine, James Sudduth, James F. Buckner, John P. Martin, W. H. Wadsworth, William L. Conklin, Charles Ripley, C. J. Walton-13. William T. Haggin,

Mr. Bullock, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled, an act to provide against the demoralization of slaves, reported the same with an amendment as a substitute therefor.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That no license shall be granted to any person to sell vinous, spirituous, or malt liquors, or a mixture thereof, until he shall have taken an oath before the court or officer from whom the license must be obtained, that he will not, during the time for which the license may be granted, sell, give, loan, or in any manner furnish to the slave of another, any vinous, spirituous, or malt liquor, without the written or der of the owner or person having the lawful custody or control of such slave, giving him permission.

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§ 2. Any person who shall sell, give, or loan, or shall permit any one in his employment to sell, give, or loan, or in any manner furnish the slave of another any vinous, spirituous, or malt liquors, or a mixture thereof, without the written permission of the owner or person having the lawful custody or control of the slave, of even date with the furnishing of the liquor, he shall be deemed guilty of a high misdemeanor, and on conviction of such offense he shall be punished by fine or imprisonment, or both; the fine to be not less than twenty dollars nor more than one thousand dollars, and the imprisonment not less than thirty days nor more than one year, in the jail of the county in which he is convicted.

§ 3. The prosecution of an offense against this act shall be by the presentment of a grand jury, and no prosecutor shall be necessary.

§ 4. Any person may defend himself against a prosecution under this act, by showing that the offense charged was the giving of liquor to save the life or health of the slave, and dictated by humane feelings.

§ 5. If a slave enter the house of a person having license to sell liquors, in the night time or on Sunday, without authority of his master, the fact of such entering shall be considered *prima facia* evidence that the keeper of the house has violated the second section of this act.

§ 6. All courts in this commonwealth, attended by grand juries, shall give this act specially in charge to the grand juries. And this act shall be in force from its passage.

The amendment proposed as a substitute reads as follows, viz:

Strike out all after the enacting clause, and insert-§ 1. That it shall not be lawful for any person or persons in this commonwealth, either with or without a license, to sell, give, or loan to any slave or slaves or any ward or minor under the age of twenty-one years, not under his or her control, any spirituous or vinous liquors, unless it is done upon the written order of the owner or person having the legal control of the service for the time being of such slave or slaves; or unless it shall be upon the written order of the parent or guardian of such minor or minors; and the written order here meant shall clearly specify the quantity to be sold, given, or loaned, the name of the slave or slaves, minor or minors, and shall be dated and signed; and such order shall only be good for the one sale, loan, or gift. And the persons violating the provisions of this act shall be liable to pay the owner, parent or guardian not less than - for each offense; and also liable for any actual damage sustained, to be recovered by suit in any court having jurisdiction. Physicians administering spirituons or vinous liquors are excepted from the provisions of this act.

§ 2. It shall not be lawful for any owner or hirer of any slave or slaves, to give to his said slave or slaves, or for any parent or guardian to give to his ward or minor, any written order to purchase, borrow, or receive any spirituous or vinous liquors, to be used at any place or places other than on the premises, or at the house or houses of such owner hirer, parent or guardian, or to be brought and delivered to him or her in person, unless it be where the order is to a person who is authorized to sell by the drink, and the same is to be drank at such place. Any person violating the provisions of this act shall be liable to a fine of —, which may be recovered before any court having jurisdiction

to that amount.

§ 3. It shall not be lawful for any person, with or without license, to sell, give, or loan to any free negro in this commonwealth, any spirituous or vinous liquors, in any quantities whatever, to be carried off in vessels from the place of sale, unless such free negro shall first present to the person having license to sell, the certificate of some white person of respectable character, that the same is to be used for medicinal or mechanical purposes. Any person violating the provisions of this section, either in selling, giving, or loaning, or in buying, borrowing, or receiving, or in giving a certificate as aforesaid, which shall prove to be false, shall be fined in not less than - each offense.

§ 4. It shall be lawful in suits or prosecutions under this act, to give in evidence the fact that the free negro or slave, or ward or minor, was seen to come out of the house of the owner or occupier with a vessel containing spirituous or vinous liquors, and also to prove that the free negro or slave came out of said house intoxicated, or with any other evidences about him of having drank therein, as facts going to show that the liquor was sold or given him in such house, by the owner or occu-

pier thereof.

§ 5. Any person who shall illegally sell, give, or loan any spirituous or vinous liquors to any free negro or slave, or to any ward or minor, who is not under his or her control, shall, in addition to the penalties demanded above and the damages that may be recovered from him or her, have his or her license declared forfeited by the court giving judgment against him or her, and judgment of forfeiture shall be entered

by said court.

§ 6. It shall not be lawful for any person keeping liquors for sale or about his premises, to suffer or permit any free negro or slave under his control to sell, give, or loan the same to any person or persons whatever, either with or without an order; nor shall it be lawful for any such person or persons to suffer or permit any free negro or slave not in his employment or under his control to frequent, visit, or stay in or about his house, except by the permission in writing of the owner or hirer of such slave; and when the owner or hirer shall give such permission, and the owner or occupier of such house shall suffer or permit such slave or slaves to get spirituous or vinous liquors, and give, sell, or loan the same in any quantities to the slaves of others, and free negroes, both the owner and hirer so giving his written permission, and the owner or occupier of the house, shall be liable to a fine of not less than ----, to be recovered as above herein authorized.

§ 7. Nothing in this act shall be held or deemed as repealing any of the laws imposing penalties for the same or like offenses herein men-

On motion of Mr. Bullock the substitute was amended by filling the blanks therein with the words, "not less than twenty nor more than fifty dollars, at the discretion of a jury."

Mr. DeCourcey moved further to amend said substitue by striking out

the word vinous wherever it occurs therein.

And the question being taken thereon, it was decided in the negative.

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The yeas and nays being required thereon by Messrs. DeCourcey and Silvertooth, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, James D. Headley, Shelby Stone, William L. Conklin, Samuel Howard, C. J. Walton—8.

T. W. W. DeCourcey, George W. Silvertooth,

Those who voted in the negative, were-

John S. McFarland, Sylvester Harris, John S. Barlow, Charles Ripley, Wiley S. Hay, James F. Buckner, Overton P. Hogan, D. Howard Smith, William C. Bullock, James Sudduth, David Irvine, John A. Cavan, Nathaniel W. Collins, John Q. A. King, W. H. Wadsworth, D. K. Weis, Theodore Kohlhass, George T. Edwards, Tucker Woodson, John P. Martin, William C. Gilliss, Daniel Matthewson, George Wright-24. James D. Hardin,

Mr. Bullock moved to strike out all that portion of the bill which relates to parents, guardians, minors and wards.

Which was decided in the affirmative.

The question was then taken on the adoption of the substitute as amended, and it was decided in the affirmative.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Martin and Smith, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, Sylvester Harris, John S. McFarland, Charles Ripley, John S. Barlow, Wiley S. Hay, George W. Silvertooth, James F. Buckner, James D. Headley, William C. Bullock, Overton P. Hogan, D. Howard Smith, Samuel Howard, James Sudduth, John A. Cavan, W. H. Wadsworth, Nathaniel W. Collins, David Irvine, C. J. Walton, William L. Conklin, John Q. A. King, D. K. Weis, George T. Edwards, Theodore Kohlhass, William C. Gilliss, John P. Martin, Tucker Woodson, James D. Hardin, Daniel Matthewson, George Wright-30.

Those who voted in the negative, were— T. W. W. DeCourcey, Shelby Stone—2.

Resolved, That the title of said bill be amended to read,

"An act to amend the law regulating the sale of spirituous and vinous liquors."

Mr. Bullock, from the same committee, asked to be discharged from the further consideration of "a bill to amend the law regulating the sale of spirituous liquors," together with the substitute proposed thereto by the committe on Finance.

Which was granted.

Ordered, That said bill and substitute be recommitted to the committee on Finance.

Also, from the further consideration of "a bill for the protection of the owners of slaves."

Which was granted.

On motion of Mr. Bullock-

Ordered, That the report accompanying the substitute offered by Mr. Cavan, from the committee on Revised Statutes, on the 9th inst., to "a bill to amend the law regulating the sale of spirituous liquors," be spread upon the journals of the Senate.

Said report reads as follows, viz:

The committee to whom was referred a bill to amend the law regulating the sale of spirituous liquors, having had the same under consideration, and having obtained all the information on the subject within their reach, as well in regard to the probable effect and bearing of the measure contemplated by the bill submitted to them, as in regard to its policy; and being desirous to act in the premises in such manner as may, so far as their action can avail, most effectually open the subject to full consideration, with a view to effect something towards suppressing a monstrous evil in the land-have found much difficulty in determining the proper course to pursue, in presenting the matter in an attitude that is most likely to meet with acceptance.

The committee are forced to the conclusion that the bill presented to them will not meet with such favor from the mass of the people generally, at the present time, as to secure permanent success to its scheme; while, in the abstract, they are in favor of its main principles, and be-

lieve in the soundness of its abstract policy.

In view, therefore, of the assumed fact, that public sentiment is not fully prepared for the measure proposed, and that no recommendation from them would be availing, the committee report the bill submitted to them without further expression of opinion than that already indi-

Aware that the Legislature is now looked to, from large numbers of the best men in the State, for some action tending to suppress the evil of excessive use of intoxicating liquors, the committee are the more anxious to present some scheme by which legislation might remove a most fruitful cause of immense injury to the body politic, as well as a vast scource of social disorder and individual distress. But they find it difficult, if not impossible, for them to devise such measures as in their opinion might probably meet with successful application. They have, therefore, in view of the high importance of the subject, determined to report back the bill submitted to them, and present the matter in a double aspect, by submitting another bill, which may be taken as a substitute; and may be regarded as better adapted to the present state of public feeling and public opinion-and upon which they respectfully ask the judgment of the Senate.

This committee do not understand that they, like ordinary general committees of the Senate, are bound to report their opinion on measures given them in charge; but inasmuch as the peculiar circumstances of this case, and the importance of the subject matter, give it an extraordinary character, and inasmuch as all the members can in this way speak at once with a single and united voice, they deem it proper, briefly, and in very general terms, thus to express their united views on the propositions made in the bill they submit as a substitute.

First. It is assumed that public opinion and public feeling may not be prepared for adopting the radical remedy provided in the original bill; and this assumption is based upon knowledge of many portions of the country, and reliable information; while it is most cheerfully admitted that certain localities would be able to sustain the measure.

Second. The effect of such provision would be to diminish the revenue, and that to a larger amount than some suppose, and would necessarily drive the State to increase, too suddenly, taxation on other objects, and might cause discontent with may good, sober citizens whose minds have not been brought to due reflection on the subject; but who will, when they are duly prepared for the change, readily acquiesce.

Third. It is deemed best, as a matter of policy for the present, not to disturb the existing system on the subject of license, otherwise than by increasing the price—believing this will diminish the number of grog-shops in the State; and consequently lessen, to no small extent,

the facilities and inducements to intemperance.

Fourth. The committee are of opinion that the county, city and town authorities in whom is now vested the power of granting licenses, ought to be restrained so as not to be allowed to act on the supposition that all who have ordinary qualifications specified by statutes now in force, have a right to license to sell spirituous liquors; and such authorities should be compelled to exercise caution and proper discrimination

on the subject.

It must be admitted that the authorities empowered by law to grant license to retail spirituous liquors, or anything else of like character, are impliedly required to exercise proper discretion in administering this power. It was surely not intended that the statutory specification of prohibition of certain classes of persons to whom license should not be granted, impliedly either authorized or justified an indiscriminate grant to all of other classes not thus expressly specified. Such construction would be utterly subversive of the very spirit and essence of

law and morals, when applied to a case like this.

Your committee would not be understood as advancing the idea that the people of Kentucky are really less prepared for the radical change proposed in the original bill, than other people. Looking abroad they can perceive no perfect readiness for taking permanently and hopefully, such high stand on this subject as the true moralist and patriot would desire. Time can neither be hastened or delayed by human action. True events must occur only when their causes have had time for appropriate results. Legislative action, while it may aid, in cases like this, cannot wholly effect revolution in public sentiment, public feeling,

or public opinion. And whilst it is true in theory that legislation may in a republic occassionally advance ahead of public sentiment, still it is also true that such advance is generally dangerous, and is often fatal

to the cause intended to be promoted.

You cannot purify the stream by rolling back the turbid water. You must go to the fountain and there apply the means. One grand scheme is now in hopefully successful operation which will do much; and another branch is hereafter to be engrafted (a system of moral education) which will do more for the complete reformation of public sentiment, than all legislative restrictions, prohibitions or penal enactments

But the committee forbear further suggestions on this topic. They cannot elaborate or scarcely define intelligibly on a single sheet—mat-

ter and ideas that would fill a "volume."

They respectfully submit this brief report, with the bill refered to them and the substitute, and most respectfully ask a candid consideration of the whole matter.

JOHN A. CAVAN,
JAMES SUDDUTH,
W. HOWELL,
Committee.

A bill from the House of Representatives, entitled, an act regulating the Circuit Courts in the 3d judicial district.

Was read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Speaker laid before the Senate the report of the Trustees of Cumberland Hospital.

To the Honorable Speaker of the Senate of Kentucky:

Dear Sir: Above you will please find a statement of the amount of money received by me as Treasurer of Cumberland Hospital for the years 1854-5, and the amount paid out during the same time, leaving a balance of five hundred and thirty-three dollars and twelve cents, \$533 12, which is respectfully submitted for your investigation.

Your obedient servant, R. M. HAYDOCK,

Treasurer of Cumberland Hospita.

COMBERLAND HOSPITAL, SMITHLAND, KENTUCKY, In account with R. M. Haydock, Treasurer: DEBITS. To cash paid Wm. Gordon, Superintendent, amount of his account for 1854, \$ 1.425 20 To cash paid Wm. Gordon, Superintendent, amount of his account from 1st January, 1854, to 15th December, 1855, 955 11 To cash paid Dr. D. B. Sanders, medical services from 1st January, 1854, to 1st June, 1854, five months, To cash paid Dr. R. J. Hodge, medical services from 1st June, 1854, to 1st Jan-125 00 175 00 nary, 1855, seven months, To eash paid Dr. J. J. Bass, medical services from 1st January, 1855, to 22d August, 1855, seven months and twenty-two days, 190 94 274 78 To cash paid for drugs for the years 1854-5,

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R. M. HAYDOCK, Treasurer.

We, the undersigned, trustees of Cumberland Hospital, indorse the above report as true and correct.

W. BEVERLY, Chairman, TOM M. DAVIS, JOHN H. WOOD, JOHN SNYDER,

FEBRUARY 4, 1856.

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Trustees. Mr. Barlow, from the committee on Finance, to whom was referred a bill for the benefit of Bright & Bright and Chapman and Merriwether, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on passage of said bill, and it was decided in the affirmative.

The yeas and nays being taken thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen. Wiley S. Hay, John S. Barlow, James D. Headley, David Irvine, John Q. A. King, James F. Buckner. William C. Bullock, John A. Cavan, Theodore Kohlhass, W. H. Wadsworth, Nathaniel W. Collins, John P. Martin, C. J. Walton, George T. Edwards, Daniel Matthewson, D. K. Weis, James D. Hardin, John S. McFarland, George Wright—26.
Sylvester Harris, Charles Ripley, Sylvester Harris,

George W. Silvertooth, D. Howard Smith, Shelby Stone, James Sudduth,

and they were dollvered to the Those who voted in the negative, were-William L. Conklin, William T. Haggin, Samuel Howard,

Tucker Woodson-7. T. W. W. DeCourcey, Overton P. Hogan, William C. Gillis,

Resolved. That the title be as aforesaid.

Mr. King, from the committee on Judicial Districts, to whom was referred "a bill to create the office of Chanceller in the First Judicial District," reported the same with an amendment as a substitute for said bill.

And the question being taken on the adoption of the substitute, it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was taken on the passage of said bill, and it was de-

cided in the affirmative.

The yeas and nays being required thereon, by Messrs. Martin and Weis, were as follows, viz:

Those who voted in the affirmative, were-

John S. McFarland, James D. Hardin, John S. Barlow, Charles Ripley, Sylvester Harris, James F. Buckner, George W. Silvertooth, Overton P. Hogan, William C. Bullock, D. Howard Smith, Nathaniel W. Collins, Samuel Howard. Shelby Stone, David Irvine, William L. Conklin, T. W. W. DeCourcey, John Q. A. King, W. H. Wadsworth, Tucker Woodson, Theodore Kohlhass, George T. Edwards, William C. Gilliss, Daniel Matthewson, George Wright-25. William T. Haggin,

Those who voted in the negative, were-

C. J. Walton, John P. Martin, Carles H. Allen, D. K. Weis-7. James Sudduth, Wiley S. Hay,

James D. Headley, Mr. Irvine, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate of the following titles, viz:

An act to establish the Peoples' Bank of Kentucky.

An act allowing a change of venue in certain cases. An act creating the office of Police Judge, in the town of Wyoming, in Bath county.

An act giving additional jurisdiction to the Police Judge of Ow-

ingsville.

An act to incorporate the Bank of Ashland.

And had found the same truly enrolled.

The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Irvine reported that the committee had performed that duty.

And then the Senate adjourned.

TUESDAY, FEBRUARY 12, 1856.

An act appalemental to an act to incorporate the Bank of Ashland

the Mouse of Representations to bills' man the

A message was received from the House of Representatives announcing their disagreement to the passage of a bill from the Senate, entitled, an act for the benefit of Abram Hite and Selina C. Hite.

That they had passed bills from the Senate of the following titles, viz:

An act for the benefit of James T. Garnett, of Christian county.

An act for the benefit of James B. Wilder, guardian of Marinda B. Wilder.

An act, entitled, an act to amend the charter of the Perryville Seminary.

An act to incorporate the Ashland Cemetery Company.

An act to incorporate the Mechanic's Fire Company, No. 1, of Jersey City and Paducah, Kentucky.

An act to incorporate the Relief Fire Company, No. 2, of Paducah, Kentucky.

An act to incorporate the town of Ashland.

An act supplemental to an act to establish the Peoples' Bank.

An act supplemental to an act to incorporate the Bank of Ashland. With amendments to the five last named bills.

That they had passed bills of the following titles, viz:

An act to enlarge the criminal jurisdiction of the City Court of Louisville.

An act to regulate the fees of witnesses in certain cases.

An act to incorporate the Western Insurance Company.

An act to amend the 42d chapter of the Revised Statutes.

An act to incorporate the Union and Richmond Turnpike Road Com-

An act to repeal the charter of the town of Florence, in Boone county.

An act to amend the charter of the town of Brooksvilte, in Bracken county.

An act to incorporate the town of Baltimore, Hickman county.

An act to amend section 17, article 4, chapter 47, of Revised Statuttes.

An act to establish a sinking fund for the county of Clarke.

The Senate took up for consideration the amendments proposed by the House of Representatives, to bills from the Senate of the following titles, viz:

An act supplemental to an act to incorporate the Bank of Ashland. An act supplemental to an act establish the People's Bank of Ken-

tucky.

Which were twice read and concurred in.

The Speaker laid before the Senate the report of the President of the Louisville Turnpike Road Company, which is as follows, viz:

A statement of the receipts and disbursements of the Louisville Turnpike Company, from the 1st of January, 1855, to the 31st December, 1855, inclusive to-wit:

To amount of tolls received at the two toll-gates, during that time, and for permits, stages, &c., \$13,308

By two dividends of 3 per cent. each on capital
(July and January,)

By amount paid president and treasurer, and two
toll-gate keepers,

By cash paid for repairs on said road, and superintendent's salary,

\$6,000 00

1,250 00

\$13,499 90

To the Honorable, the General Assembly of the Commonwealth of Kentucky:

The above and foregoing is a correct statement of the receipts and disbursements of the Louisville Turnpike Company, for the period therein stated, and is forwarded by order of the president and managers of said company.

Respectfully,

LEVI TYLER,

President and Treasurer.

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Louisville, February 11th, 1859.

Subscribed and sworn to by Levi Tyler, before me, this 11th February, 1856. GEO. T. ARMSTRONG, N. P. J. C.

On motion of Mr. Smith, leave was given to withdraw the petition of the citizens of Nelson county and others in relation to the formation of a new county.

Mr. Woodson presented the petition of sundry citizens of the counties of Woodford, Fayette and Franklin, asking the passage of an act more fully to secure the slave property of this commonwealth.

Which was received, the reading dispensed with, and referred to the committee on the Judiciary.

The Senate resumed the consideration of an unfinished report from the committee on Revised Statutes, of a bill to amend the law in relation to processioning lands.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the negative.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Sudduth, from the committee on Revised Statutes—A bill to amend chapter 86 of the Revised Statutes, title, sale of infants' real estate.

By same—A bill for the benefit of George W. McConnell, late Sheriff of Woodford county.

By same—A bill extending the time of returning Assessors' books and delivering copies of same to Sheriffs.

By same, from committee on Banks—A bill to incorporate the Deposit Bank of Cynthiana, Harrison county.

By same, from a select committee—A bill for the benefit of school district No. 20, in Carroll county.

By same—A bill to incorporate Browinskie Lodge No. 64, I. O. O. F., Carrollton.

By Mr Haggin, from a select committee—A bill to incorporate the New Orleans and Ohio Telegraph Lesses.

By Mr. King. from a select committee—A bill to incorporate the United Baptist Church, of Owensboro.

By Mr. Allen, from a select committee—A bill for the benefit of the Methodist Episcopal Church South, in the town of Newcastle.

By Mr. Sudduth, from a select committee—A bill to incorporate chapter No. 51, of Royal Arch Free and Accepted Masons, in Gallatin county.

Which were read the first time, and ordered to be read the second time.

The constitutional provision as to the second and third readings of said bills being dispensed, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. King, from the committee on Banks, to whom was referred a bill from the House of Representatives, entitled, an act to incorporate the Saving's Bank of Kenton, reported the same without amendment.

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Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. King, from the same committee, asked to be discharged from the further consideration of leaves to bring in the following bills, viz:

A bill to incorporate the Stanford Bank

A bill to establish the Eastern Bank of Kentucky.

A bill to establish the Farmers' and Miners' Bank of Kentucky.

Which was granted.

Mr. Sudduth, from a select committee, reported a bill to incorporate Napoleon Lodge No. 216, of Free and Accepted Mason.

Which was read the first time, and ordered to be read a second

Said bill was read a second time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the members and those who may hereafter become members of Napoleon Lodge No. 216, of Free and Accepted Masons, in Napoleon, Gallatin county, be and they are hereby created a body politic and corporate, by the name and style of Napoleon Lodge No. 216, of Free and Accepted Masons, and by that name and style shall have perpetual succession, and be capable of contracting and being contracted with, of suing and being sued, pleading and being impleaded of purchasing and holding such real and personal estate, as may be required for the use of said Lodge, to receive all necessary conveyances, to sell, convey, and dispose of all such real or personal estate as they may now have or may hereafter acquiesce: Provided, That the amount invested in real estate, exclusive of buildings thereon, shall at no time exceed ten thousand dollars.

§ 2. That the management of the concerns of said corporation shall be and is hereby confided to the Master, Senior and Junior Wardens and their successors in office, as trustees thereof, who, or a majority of whom, shall have power to make all contracts pertaining to the real or

personal estate of said Lodge.
§ 3. That the said trustees shall have power to pass such by-laws, rules and regulations not inconsistent with the Constitution and laws of the United States or this State, as may be necessary for the safe keeping of the property and other interests of the Lodge, and may have and use a common seal and change the same at pleasure; and in conveying real estate the whole board of trustees shall join in such

 \S 4. The General Assembly hereby reserves the right to amend, alter or repeal this act at pleasure.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

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The question was taken on the passage of said bill, and it was decided in the affirmative.

The year and nays being required thereon, by Messrs. Wright and Hogan, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, William C. Bullock, Sylvester Harris, John S. McFarland, John A. Cavan, William L. Conklin, Overton P. Hogan, James Sudduth, T. W. W. DeCourcey, Samuel Howard, George T. Edwards, David Irvine, William C. Gilliss, John Q. A. King, John Williams—26. William T. Haggin, Theodore Kohlhass,

James D. Hardin. Wiley S. Hay,

John P. Martin, George W. Silvertooth, Nathaniel W. Collins, James D. Headley, Shelby Stone,

Those who voted in the negative, were-

Daniel Matthewson,

John S. Barlow, Charles Ripley, Tucker Woodson, James F. Buckner, D. Howard Smith, George Wright-7.

Resolved, That the title of said bill be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Haggin-1. A bill to establish the Kentucky House of Refuge at Louisville.

On motion of Mr. Silvertooth—2. A bill anthorizing the County Court of Fulton to change the State road from Canton to Hickman.

On motion of same—3. A bill to incorporate the Building and Loan Association in the town of Hickman.

On motion of Mr. Conklin-4. A bill for the benefit of School District, No. 38, in Grayson county.

On motion of Mr. Edwards-5. A bill for the benefit of the town of Russellville.

On motion of Mr. Smith-6. A bill to amend the law providing for the payment of the expenses of pauper lunatics in their transmission to the Eastern and Western Lunatic Asylums.

On motion of Mr. Haggin-7. A bill to charter the Union Insurance Company of Louisville.

On motion of Mr. Woodson-8. A bill to amend the charter of the Franklin Female Seminary.

On motion of Mr. Allen-9. A bill to change the time of paying the revenue by the Sheriffs.

On motion of Mr. Buckner-10. A bill to repeal an act, approved March 7, 1854, entitled, an act to regulate the appointment of Superintendent of the Western Lunatic Asylum.

On motion of Mr. Hogan—11. A bill to charter the Crittenden Male and Female Academy in the county of Grant. On motion of same—12. A bill to charter the Downingsville Turn-pike Road Company, in Grant county.

On motion of Mr. Sudduth—13. A bill to increase the pay of the members of the Legislature.

On motion of Wadsworth—14. A bill to amend the act incorporating the town of Dover in Mason county.

Ordered, That Messrs. Haggin, Harris and Hay prepare and bring in the first; Messrs. Silvertooth, King and DeCourcey the second; Messrs. Silvertooth, Allen and Barlow the third; Messrs. Conklin, Hay and McFarland the fourth; Messrs. Sudduth, Haggin and Hay the fifth; the committee on Circuit Courts the sixth; Messrs. Haggin, Ripley and Smith the seventh; the committee on Education the eighth and eleventh; the committee on Finance the ninth; the committee on the Judiciary the tenth and fourteenth; the committee on Internal Improvements the twelfth; and Messrs. Haggin, Bullock and Cavan the thirteenth.

The Senate took up for consideration "a bill to amend an act incorporating the Savings Institution of Harrodsburg."

Ordered, That the said bill be made the special order of the day for the 13th inst., at half past ten o'clock, A. M.

The Senate took up for consideration "a bill to extend the terms of the Court of Appeals, and to increase the jurisdiction and salary of the Judges."

Said bill was amended, and reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the terms of the Court of Appeals, to commence after the passage of this act, shall be continued and held for seventy-two days, and as much longer as the business thereof may require, instead of sixty days as now required by law.

§ 2. Be it further enacted, That no appeal to the Court of Appeals shall lie, unless where the order, judgment, or decree, relates to an office, franchise or freehold, or is against a divorce, if the matter in controversy does not amount in value to fifty dollars, exclusive of interest and cost.

§ 3. Be it further enacted, That it shall be the duty of the Clerk of the Court of Appeals to docket all cases in said court, from the same county together, and to docket all cases from the same Judicial District together, commencing with the cases from the county whose terms are first held, and continuing regularly to the last.

§ 4. Be it further enacted, That it shall be the duty of the Clerk of the Court of Appeals to distribute on his docket the business of said court for each term, as nearly equal for each day as may be.

§ 5. Be it further enacted, That from and after the passage of this act each judge thereof shall receive, as his annual salary, at the rates of twenty-five hundred dollars, instead of two thousand, as now provided for by law, and to be paid in the same manner as now provided for.

& 6. This act to take effect from and after its passage.

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Mr. Ripley moved further to amend said bill by striking out from the 5th section the words "twenty-five hundred," and inserting in lieu thereof, the words "three thousand."

Mr. Walton moved to amend the amendment proposed by Mr. Ripley by striking out the 5th section of sald bill.

And the question being taken on the adoption of the amendment proposed by Mr. Walton, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Walton and Hogan, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, George T. Edwards,
John S. Barlow, Wiley S. Hay,
James F. Buckner, James D. Headley,
Nathaniel W. Collins, Overton P. Hogan,
William L. Conklin, Samuel Howard,
George Wright—15.

Those who voted in the negative, were-

William C. Bullock,
John A. Cavan,
T. W. W. DeCourcey,
William T. Haggin,
James D. Hardin,
Sylvester Harris,

David Irvine.
John Q. A. King,
James Sudduth,
W. H. Wadsworth,
D. K. Weis,
John Williams,
Tucker Woodson—18.

The question was taken on the adoption of the amendment proposed by Mr. Ripley, and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. King and Hogan, were as follows, viz:

Those who voted in the affirmative, were—William T. Haggin, D. Howard Smith, Tucker Woodson—4. Charles Ripley,

Those who voted in the negative, were-

Charles H. Allen,
John S. Barlow,
John S. Barlow,
Wiley S. Hay,
James F. Buckner,
William C. Bullock,
John A. Cavan,
Nathaniel W. Collins,
William L. Conklin,
T. W. W. DeCourcey,
William C. Gilliss,
William C. Gilliss,
John P. Martin,
John S. McFarland,
George W. Silvertooth,
Shelby Stone,
James Sudduth,
W. H. Wadsworth,
C. J. Walton,
D. K. Weis,
John Williams,
George Wright—29.
James D. Hardin,
Daniel Matthewson,

Mr. Buckner moved further to amend said bill by striking out the word "fifty" where it occurs in the latter part of the 2d section, and inserting in lieu thereof the words "one hundred."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Martin and Allen, were as follows, viz:

Those who voted in the affirmative, were-

James F. Buckner, Wiley S. Hay, William C. Bullock, William C. Gillis, David Irvine, C. J. Walton, John Williams, Tucker Woodson—9.

Those who voted in the negative, were-

Charles Ripley, Sylvester Harris, Charles H. Allen, George W. Silvertooth, Overton P. Hogan, John S. Barlow, D. Howard Smith, Samuel Howard, John A. Cavan, Shelby Stone, Nathaniel W. Collins, John Q. A. King, James Sudduth, William L. Conklin, Theodore Kohlhass, W. H. Wadsworth, John P. Martin, T. W. W. DeCourcey, Daniel Matthewson, D. K. Weis, George T. Edwards, John S. McFarland, George Wright-25. William T. Haggin, James D. Hardin,

Mr. Walton moved to lay said bill on the table.

Which was decided in the negative.

The question was then taken on ordering said bill to be read a third time, and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Irvine and

Haggin, were as follows, viz:

Those who voted in the affirmative, were-

William C. Bullock,
John A. Cavan,
William L. Conklin,
T. W. W. DeCourcey,
William T. Haggin,
James D. Hardin,

Sylvester Harris,
Theodore Kohlhass,
John S. McFarland,
Charles Ripley,
D. Howard Smith,
Tucker Woodson—16.

Those who voted in the negative, were-

Carles H. Allen, Wiley S. Hay,
John S. Barlow, James D. Headley,
James F. Buckner, Overton P. Hogan,
Nathaniel W. Collins, Samuel Howard,
George T. Edwards,
William C. Gilliss, John Q. A. King,

John P. Martin,
Daniel Matthewson,
George W. Silvertooth,
C. J. Walton,
John Williams,
George Wright—18.

Mr. King moved a reconsideration of the vote by which the Senate

refused to order said bill to be read a third time.

Mr. Smith moved to postpone the consideration of said motion until Friday next, at 11 o'clock, A. M., and it was decided in the affirmative.

The year and nays being required thereon, by Messrs. Hogan and Weis, were as follows, viz:

Those who voted in the affirmative, were-

James F. Buckner, Sylvester Harris, D. Howard Smith, William C. Bullock, John Q. A. King, Shelby Stone, James Sudduth,

T. W. W. DeCourcey, John S. McFarland, W. H. Wadsworth, George T. Edwards, Charles Ripley, D. K. Weis, William T. Haggin, George W. Silvertooth, Tucker Woodson—19. James D. Hardin,

Those who voted in the negative, were-

Charles H. Allen, Wiley S. Hay,
John S. Barlow,
Nathaniel W. Collins,
William L. Conklin,
William C. Gilliss,
Walter,
Daniel Matthewson,
C. J. Walton,
John Williams,
William C. Gilliss,
David Irvine,
George Wright—15.

Mr. Robert C. Palmer, from the 20th Senatorial district, appeared and took his seat.

Mr. Sudduth, from a select committee, reported "a bill to increase the pay of the members of the Legislature."

Which was read the first time, and ordered to be read a second time.

Said bill was read a second time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the termination of the present session of the General Assembly, the pay of each member thereof, shall be four dollars per day during their attendance on, and twenty-five cents per mile for the necessary travel in going to, and returning from the sessions of their respective houses—to be paid in the same manner their pay is now provided for.

Mr. Wright moved to strike out the words "twenty-five," and insert in lieu thereof, the word "fifteen."

Which was decided in the affirmative.

Mr. Irvine moved to amend the bill by adding thereto the following: This act shall not take effect until the 1st day of June, 1858.

Mr. King moved to amend the amendment proposed by Mr. Irvine, by substituting in lieu thereof the following:

Provided, That the provisions of this act shall not apply to any member of the present General Assembly, during his present term of service.

Mr. Hogan moved the previous question.

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 $^{\mathrm{id}}$

And the question being taken, shall the main question be now put?

and it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. King, and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. King and Stone, were as follows, viz:

Those who voted in the affirmative, were-

Nathaniel W. Collins, James D. Hardin, Shelby Stone-3.

th,

Those who voted in the negative, were-

Charles H. Allen, John S. Barlow, James F. Buckner, William C. Bullock, John A. Cavan, William L. Conklin, T. W. W. DeCourcey, George T. Edwards, William C. Gilliss, William T. Haggin, Sylvester Harris,	Wiley S. Hay, James D. Headley, Overton P. Hogan, Samuel Howard, David Irvine, John Q. A. King, Theodore Kohlhass, John P. Martin, Daniel Matthewson, John S. McFarland, Robert C. Palmer,	Charles Ripley, George W. Silvertoot D. Howard Smith, James Sudduth, W. H. Wadsworth, C. J. Walton, D. K. Weis, John Williams, Tucker Woodson, George Wright—32.
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The question was then taken on the adoption of the amendment proposed by Mr. Irvine, and it was decided in the negative.

Ordered, That said bill be engrossed and read a third time. The constitutional provision as to the third reading of said bill

being dispensed with, The question was then taken on passage of said bill, and it was de-

cided in the affirmative.

The year and nays being required thereon, by Messrs. Stone and Wright, were as follows, viz:

Those who voted in the affirmative, were-

William C. Bullock, John A. Cavan, T. W. W. DeCourcey, George T. Edwards, William C. Gillis, William T. Haggin,	Overton P. Hogan, Samuel Howard, Theodore Kohlhass, John P. Martin, John S. McFarland, Robert C. Palmer,	D. Howard Smith, Shelby Stone, James Sudduth, W. H. Wadsworth, C. J. Walton, D. K. Weis, John Williams, Tucker Woodson—26.
Sylvester Harris, Wiley S. Hav,	Charles Ripley, George W. Silvertooth,	

Those who voted in the negative, were-

The evention was they taken on the adoption of the bracadment as

Those was voted in the affirmance, were-

and generated any being required thereon, by Messry, Kirg.

pased by Mr. King, and it was decided in the negative.

Nathaniel W. Colline, James D. Herdin.

John S. Barlow,	William L. Conklin,	John Q. A. King,
James F. Buckner,	James D. Hardin,	Daniel Matthewson,
Nathaniel W. Collins,	David Irvine,	George Wright-9.

Resoved, That the title of said bill be as aforesaid. And then the Senate adjourned.

Ordered Thereat Lagrent Revenue

WEDNESDAY, FEBRUARY 13, 1856.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, to-wit:

An act to extend the corporate limits of the city of Louisville.

An act for the benefit of William Allcock.

An act for the benefit of the Methodist Episcopal Church, at Alexandria.

An act for the benefit of E. Shrival.

An act to mitigate the punishment for duelling.

An act to amend the charter of the Odd Fellows Association of Covington.

An act to incorporate the Evangelic Church and School Association, at Alexandria.

An act to amend the charter of the Kentucky Ship Building and Lumber Company.

1. Mr. Allen presented the petition of sundry citizens of Oldham county, praying the passage of an act for the benefit of John Hutzman.

2. Mr. Hay presented the remonstrance of J. M. Bell and J. Landrum, remonstrating against the passage of an act establishing a ferry on Green river between the town of Calhoun and Rumsey.

3. Mr. Sudduth presented the memorial of sundry citizens of Bourbon county, asking an appropriation in aid of the Colonization Society.

4. Mr. Kohlhass presented the petition of Thomas Eastin and sons, of Clarke county, praying the passage of an act authorizing them to establish a bowling saloon at the Oil Springs in said county.

5. Mr. DeCourcey presented the petition of sundry citizens of Campbell county, praying the passage of a law directing certain terms of the Campbell Circuit Court to be held in Newport.

Which were received, the reading dispensed with, and referred—the 1st and 3d to the committee on Finance; the 2d to the committee on Propositions and Grievances; and the 4th and 5th to the committee on the Judiciary.

Mr. Martin moved the following resolution, viz:

Be it resolved. That if any member of the Legislature shall be providentially disabled by sickness or other causes, that he shall be paid such sum or sums as are reasonable for medical services, attention and other charges attendant on such persons.

Ordered, That said resolution be referred to the committee on Fi-

Mr. Hogan moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to take under consideration the propriety of passing a law establishing a police in the counties bordering on the Ohio river, for the better protection of slave property in this commonwealth.

Which was adopted.

Mr. Irvine, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate of the following titles, viz:

An act for the benefit of James T. Garnett, of Christian county. An act supplemental to an act to establish the Peoples' Bank.

An act to incorporate the Ashland Cemetery Company.

An act supplemental to an act to incorporate the Bank of Ashland.

And had found the same truly enrolled.

The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Irvine reported that the committee had per-

formed that duty.

The following bills were reported from select committees, viz:

By Mr. Conklin-1. A bill for the benefit of School District, No. 38, in Grayson county.

By Mr. King-2. A bill creating an additional voting place in the 2d

district in Lyon county.

By same-3. A bill authorizing the County Court of Union to lay an additional levy to build a county jail.

By Mr. Sudduth-4. A bill for the benefit of the trustees of the

town of Russellville.

Which were read the first time, and ordered to be read the second

time. The constitutional provision as to the second reading of said bills being dispensed with, the 1st, 3d, and 4th, were ordered to be engrossed and read a third time; and the 2d was referred to the committee on Privileges and Elections.

The constitutional provision as to the third reading of the 1st, 3d and 4th of said bills having been dispensed with, and same being

engrossed, Resolved, That said bills do pass, and that the titles thereof be as

aforesaid, A message was received from the Governor, by Mr. Brown, Secretary of State.

Said message was taken up and reads as follows, viz:

EXECUTIVE DEPARTMENT, February 13, 1856.

Gentlemen of the Senate and House of Representatives:

I herewith transmit to you a letter received from the Commissioner of the General Land Office, notifying me that the General Government would at a designated period proceed to sell an island in the Mississippi river known as Wolf Island, which is claimed by and has here-

tofore been under the jurisdiction of the State of Kentucky.

It has always been understood with us, that the main channel of the river, when our boundary was defined, was on the western side of the island, and we have accordingly sold the land and exercised jurisdiction over its inhabitants. At one period a member elected from the county of Hickman resided on this island. The change in the channel of the Mississippi from what it was when the boundary was fixed, cannot in any manner affect our title.

I submit the whole subject to your wisdom and discretion, to take such steps to have the question finally settled as you may deem right

and proper.

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GENERAL LAND OFFICE, January 31, 1856.

C. S. MOREHEAD.

To His Excellency, Chas. S. Morehead,

Governor of Kentucky, at Frankfort:

Sm—I have the honor to transmit, inclosed, a copy of my letter of this date to the Register and Receiver, at Jackson, Missouri, relative to "Wolf Island," in the Mississippi river, as showing the views and action of this office in regard to said island.

I am, very respectfully, your obedient servant,

THOS. A. HENDRICKS, Commissioner.

GENERAL LAND OFFICE, January 31, 1856.

To the Register and Receiver, at Jackson, Mo .:

Gentlemen—My attention has been called by the Hon. S. Caruthers, of the House of Representatives, in a communication bearing date the 29th ultimo, to "Wolf Island," in the Mississippi river, below the mouth of the Ohio, requesting information as to its condition, in reference to bringing the lands thereon into market.

On this subject I have to state, that many years since, this island, situated in township 24 north, ranges 17 and 18 east of the 5th principal meridian, Missouri, was surveyed and returned by the Surveyor General as within the limits of the State of Missouri, and was regular-

ly offered for sale at your office, in the year 1835.

The private entries of the lands on the island were permitted until 1838, in which year the attention of this office was called to it in a communication from your predecessors, stating that the Legislature of Kentucky had passed a law directing its sale as belonging to that State,

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and that the lands had been offered for sale by the State authorities; whereupon, by instructions of this office, all the unsold lands were immediately withdrawn from market, all the sales made up to that time suspended, and the Surveyor General of Missouri called upon to institute a careful examination on the spot, and to report the facts to this office, with a view to determine the main channel of the river, which, by the act of admission of Missouri as a State, as well as the treaty of limits of 1783 with Great Britain, is made the boundary line between

the States of Kentucky and Missouri.

A very particular examination and report was made by the Surveyor General, and communicated to this office on the 18th December, 1943, accompanied by a map showing cross sections of the two channels east and west of the island from actual measurements, and by affidavits of the oldest inhabitants and river men, all of which clearly shows that the main channel of the river, both as to breadth and depth and the quantity of water passed per second (being nearly double) runs on the cast side of the island, and has done so from the earliest time, and consequently it belongs to the jurisdiction of the State of Missouri, and not to Kentucky. It has been determined to restore the lands to market again after three full months published advertisement, so as to afford ample notice to all parties concerned, whether on the Kentucky or Missouri side of the river, at the expiration of which time the unsold lands on the island will come under the general laws of the United States for the sale and disposal of the public domain.

I have therefore to request, that after comparing the list of tracts in the within notice with the evidence in your office, and making any necessary corrections which you will report to this office with proper explanations, you will sign and publish it in one newspaper in each of the States above named once a week till the day of sale, the third

Monday, or the 19th day of May next. On the inclosed diagram of the island, the colored tracts show how the lands have been disposed of according to the records in this office, as thereon explained. The swamp selections have not been approved, and being invalid, no attention has been paid to them in preparing the list.

I am, very respectfully, your obedient servant, THOS. A. HENDRICKS, Commissioner.

P. S. Copies of the above letter have this day been comunicated, as follows: To his Excellency, Chas. S. Morehead, Governor of Kenticky; Hon. S. Caruthers, House of Representatives; John Loughborough, Esq., Surveyor General, St. Louis, Mo. Yours, &c., THOS. A. HENDRICKS, Com'r.

WOLF ISLAND LANDS.

Notice is hereby given, that in pursuance of instructions received from the Commissioners of the General Land Office, bearing date the 31st ultimo, the following tracts of land, heretofore withdrawn from sale or entry, situated on Wolf Island, in the Mississippi river, in township 24 north, of ranges 17 and 18 east of the 5th principal meridian, in the district of lands subject to sale at this place, will be restored to market and offered for sale on and after the third Monday or nineteenth day of May next, to-wit: Fractional sections 1, 2, and 11, west half of 12, west half and south-east quarter of 13, fractional 14, north-east quarter and east half of south-east quarter of 23, whole of 24, and the north half of the north-east quarter and north half of the north-west quarter of 25, all situated in township 24 north, of range 17 east. Also, the west half of section 6, the north-east quarter, the east half of north-west quarter, and west half of south-west quarter of 18, the south half of section, and the west half of north-west quarter of 19, and part section 30, all situated in township 24 north, of range 18 east. Given under our hands at the Land Office, Jackson, this — day of February, 1856.

Register.

Ordered, That the Public Printer print 150 copies of said message and accompanying documents, and that it be referred to the committee on Federal Relations.

The Senate, according to order, took up for consideration a bill to amend an act incorporating the Savings Institution of Harrodsburg.

Said bill was amended, and reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That said institution shall keep its office of discount and deposit in the town of Harrodsburg, and that in addition to the present privileges, it shall have the power, and is hereby authorized to issue bills and bank notes payable to bearer on demand at said office of discount and deposit, but not of any less denomination than one dollar.

§ 2. The bank notes to be issued by said institution shall be signed by the president, and countersigned by the cashier thereof; and said institution is inhibited from issuing checks or orders payable at its office of discount or elsewhere, to any person or order, or to any person or bearer, with the intent that said checks or orders shall circulate as

bank notes.

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§ 3. That said institution shall at no time owe, whether by bond, bill, note, or other contract, an amount exceeding twice the amount of capital stock actually paid in, exclusive of sums due upon deposit; nor shall said institution at any time suspend, fail, or refuse to pay in gold or silver, any of its notes, bills, or other obligations, when due and payable, and demanded at its office of discount and deposit during its regular banking hours; nor shall it refuse to pay any moneys, notes, bills, or other articles on deposit in said institution, when due and demanded as aforesaid; and for any such failure, said institution shall be liable to pay damages at the rate of ten per cent. per annum from the time of such failure till payment thereof, to be recovered by action in any court of record having jurisdiction of such causes; and for such failure or refusal this charter shall be forfeited; and if, upon judgment being rendered against said institution for any of said causes, the amount thereof should not be made upon execution issuing thereon to the county of Mercer, then those who are the president, directors, and stockholders of said institution, at the time said execution or executions may respectively come to the hands of the sheriff of Mercer county, shall be liable for said judgment or judgments in their individual capacities, by joint or several actions or modes of proceedings,

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usual in the courts of this commonwealth, against them or either of them, their heirs, executors, or administrators, in any court having jurisdiction thereof, by any creditor or creditors of said institution, any condition or agreement to the contrary notwithstanding.

§ 4. If any such individual responsibility shall occur, and loss be thrown thereby upon any stockholder of said institution, then the other stockholders therein shall be responsible and contribute towards said loss, respectively, in proportion to the stock held by them in said institution, regarding said loss as a burden upon all of the stockholders therein, to be met and borne by them respectively in proportion to their interest and amount of stock in said bank.

§ 5. That no new stock shall be taken in said institution until the president and directors thereof shall cause the books to be opened for that purpose; and they may require such premiums npon the residue of said stock, (which stock is not to exceed the amount allowed under the original charter,) as they may deem right; and such premiums, when paid, shall be the property of the bank; and the payment of said shares yet to be taken, shall be made in gold and silver, at such times and in such manner as the president and directors may order, but before the re-opening of said books for the taking of the residue of said stock; at least thirty days' notice of the time and place thereophall be given by publication in some newspaper published nearest said bank.

§ 6. That in case of the death, resignation, or vacancy from any other cause, in the directors of said institution, the remaining directors, or any three of whom, who shall constitute a quorum for business, shall fill such vacancy from among the other stockholders of said institution, having the requisite qualifications, for the unexpired term of such director or directors, whose seat has been thus vacated; and the president of said institution shall hold his office for one year, or until his successor shall be chosen, as provided for, by the original charter.

§ 7. That if the chashier, teller, clerk, agent, or other officer of said institution, shall, without authority of the president and directors thereof, appropriate any of the funds of said corporation to his own use, or to that of any other person, or shall wilfully fail to make correct entries on the books of the institution, with intent to cheat or defraud the corporation, or any other person, or to hide or conceal any improper appropriation of the funds of the corporation, the officer or officers, so offending, shall be deemed guilty of felony, and shall, upon conviction thereof, be sentenced to confinement in the jail and penitentiary of this State for a period of not less than five nor more than twenty years.

§ 8. It shall be the duty of the president and directors of said bank, upon the first day of December and first day of June, annually, to transmit to the Secretary of State an accurate statement of the condition of the bank, as it existed on the first day of the preceding month; which statement shall specify the amount of capital stock actually paid in, and the amount not paid in, and the value of the real estate belonging to said bank, and its cost; the total amount of debts due to and from said bank; the amount of gold and silver and other coined

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metal and bullion on hand; the amount deposited; the amount of bills in circulation, and the amount of bills on hand of other incorporated banks, and the amount of notes in circulation of each denomination issued by the bank; the rate and amount of dividend and the profits made by said bank, with the amount of the contingent fund; which statement the Governor of the Commonwealth shall cause to be laid before the Legislature of Kentucky; and they shall, when required by the Legislature, report all bad and doubtful debts.

§ 9. Said institution shall not contract for, or receive a greater rate of interest than at the rate of six per centum per annum, for the loan or forbearance of money and interest on promissory notes, negotiable and payable at said institution; and their discount shall be calculated on the true time such notes have to run, including three days of grace, and shall be paid in advance and on banking principles, in accordance with Rowlett's tables of discount and interest.

§ 10. Such of the notes or bills of said institution as shall be payable to order, shall be transferable by assignment, and those made payable to bearer by delivery.

§ 11. The president, directors, cashier, clerks and other officers of said institution, before entering upon the discharge of their duties, shall respectively take an oath, before some justice of the peace of this State, faithfully, honestly, impartially, and to the best of their skill and judgment, to discharge all the duties of their respective offices and stations, under the original charter and this amendment, or which may be required by the by-laws, rules and regulations of this corporation.

§ 12. The Legislature of Kentucky shall have the right to investigate the situation and affairs of said institution, by any committee they may appoint for that purpose, from time to time.

§ 13. That for any alleged forfeiture of the charter of this institution, the circuit court of the county of Franklin shall have jūrisdiction to try the same; but the proceedings shall be by scire facias alleging and specifying the acts of forfeiture relied upon, and shall only be sued out at the instance of the Attorney General of the State, when directed by the Legislature of Kentucky, or the Governor for the time being, from which an appeal may be taken as in other cases: Provided, That should a forfeiture be declared, this institution shall still have the power to sue and be sued, and continue its operations necessary for the winding up of the same, and no other.

§ 14. That upon any stockholder failing or refusing to pay his stock, as herein provided, the president and directors, first giving public notice in some newspaper printed in this State, for the space of thirty days, by a resolution entered on their records, may forfeit said stock, and proceed at such time as they may deem expedient to resell the same; and all partial payments made on any stock which may be forfeited, shall be held for the benefit of the bank.

§ 15. The bills and notes of said institution made payable to bearer, shall be receivable in all payments to the State, and on account of county levies, so long as it shall redeem its notes in gold and silver, on demand, unless otherwise directed by law.

§ 16. Said institution shall make no loan of money, or discount any

note or bill on the pledge of the stock of said bank, whatever, and no stockholder shall be allowed to pay any debt he may owe the bank, by the surrender of the stock of the bank, until all the notes of the bank shall have been redeemed, and all the debts of the bank paid; and stockholders becoming indebted to said bank, shall be compelled to pay their debts, in all respects, as other persons dealing with the bank; nor shall any stockholder be allowed to make payment of the shares of stock held by him or her, by means of a loan obtained from said bank.

§ 17. It shall not be lawful for the cashier or any other subordinate officer of said bank, to engage in or carry on any other business than that of said bank, without the special license of the president and directors, under the penalty of one thousand dollars, to be recovered by action in any court of record having jurisdiction, to be paid into the Treasury for the benefit of the common schools of the State, and to be recovered in the corporate name of said bank. Nor shall the cashier, clerk, teller, or other subordinate officer, become judebted to said bank either as borrower, indorser, or surety, under like penalty and recovery.

§ 18. At no time shall there be a greater amount than thirty-three and a third per cent. of the funds of this bank employed in dealing in bills of exchange, foreign or domestic; and the remainder shall be used in dealing in negotiable and accommodation paper, indersed and properly secured.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Smith and Blain, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen. William L. Conklin. John Q. A. King, T. W. W. DeCourcey, Robert C. Palmer, John S. Barlow, William C. Gilliss, Shelby Stone, Robert Blain. William T. Haggin, C. J. Walton, William C. Bullock. D. K. Weis, James D. Hardin, Jesse W. Burton, Sylvester Harris, John Williams. John A. Cavan. Tucker Woodson-21. Nathaniel W. Collins, Samuel Howard,

Those who voted in the negative, were-

James F. Buckner,
George T. Edwards,
Wiley S. Hay,
James D. Headley,
Overton P. Hogan,
Overton P. Hoga

Resolved, That the title of said bill be amended to read, An act to incorporate the Bank of Harrodsburg, Kentucky.

Mr. McFarland, from the committee on Agriculture and Manufactures, according to order, reported a bill to incorporate the State Agri-

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cultural Society, and to give encouragement to all the arts and sciences connected therewith.

Said bill was then amended.

Mr. DeCourcey moved further to amend said bill by striking out the 11th section.

Mr. Palmer moved to re-commit said bill and proposed amendment to the committee on Agriculture and Manufactures, with instructions to report same at 12 o'clock to-morrow.

And the question being taken thereon it was decided in the affirmative

The Senate took up for consideration a bill to renew the charter of the Mechanic's Bank of Louisville.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

-Also, a bill to amend the Revised Statutes, chapter 88, title, schools and seminaries.

Mr. Conklin moved to amend said bill by striking out the 7th section of said bill, pending the consideration of which,

The Senate adjourned.

THURSDAY, FEBRUARY 14, 1856.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, to-wit:

An act to aid in removing free negroes from this State to Liberia.

An act for the benefit of Kentucky Institution for the education of the blind.

An act to amend the law in relation to attachments in civil cases.

An act to incorporate the Nelson County Agricultural Society.

An act to increase the jurisdiction of the Mayor's Court of Covington.

An act to incorporate the Maysville Marine and Life Insurance Com-

And that they had adopted a resolution in relation to the removal of the seat of government.

- 1. Mr. Weis presented the petition of sundry citizens of Lawrence county, praying the passage of a law to change the present road laws for said county.
- 2. Mr. Cavan presented the petition of sundry citizens of the town of Flemingsburg, praying the passage of an act to prescribe the limits of said town.
- 3. Mr. Walton presented the petition of sundry citizens of Green county, praying the passage of a law authorizing an appropriation for the Lewis Stader, of said county, for keeping a pauper.

Which were received, the reading dispensed with, and referred—the 1st and 2d to the committee on Propositions and Grievances; and the 3d to the committee on Finance.

Leave was given to bring in the following bills, viz:

On motion of Mr. Weis—1. A bill for the benefit of James G. King and Archibald G. King, executors of H. C. L. Schaper, deceased.

On motion of same—2. A bill for the benefit of the Ashland common school district in Greenup county.

On motion of Mr. Buckner—3. A bill to amend the charter of the Henderson and Nashville Railroad Company.

On motion of Mr. Irvine—4. A bill to amend the charter of the Kentucky, Cumberland Gap and Southern Railroad Company.

On motion of Mr. Gilliss—5. A bill authorizing trustees to sell and appropriate the seminary lands of Laurel county.

On motion of Mr. Wadsworth—6. A bill to authorize the commissioners of the Sinking Fund to loan any surplus moneys they may have on hand.

On motion of Mr. Weis-7. A bill for the benefit of John W. Haws, late Sheriff of Lawrence county.

On motion of Mr. King—8. A bill to incorporate the Paducah and Nashville Telegraph Company.

Ordered, That the committee on the Judiciary prepare and bring in the 1st, 3d and 8th; the committee on Education the 2d; the committee on Internal Improvement the 4th; and Messrs. Gilliss, Sudduth and Conklin the 5th; the committee on the Sinking Fund the 6th; and the committee on Finance the 7th.

Mr. Wright moved the following resolution, viz:

Resolved, That motions, resolutions and leaves to bring in bills, &c., shall be considered in order at 1 o'clock each day, during the remainder of the session, and at no other time.

And the question being taken on the adoption thereof, it was decided in the negative.

Mr. Sudduth moved the following resolution, viz:

Resolved, That the Governor be requested to inform the Senate why

the report of the Geological survey has not been laid before the Legislature, according to law, and to furnish the Senate a detailed account of the money expended on account of said survey.

Which was adopted.

Mr. Sudduth moved the following joint resolution:

The rule of the Senate being dispensed with, said resolution was taken up, and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That on the subject of slavery the people of Kentucky ask but their constitutional rights, and will submit to nothing less.

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Silvertooth . and Allen, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, William C. Gilliss. James D. Hardin, John S. Barlow, Robert Blain, Wiley S. Hay, James F. Buckner, James D. Headley, William C. Bullock, Overton P. Hogan, James Sudduth. Jesse W. Burton, Samuel Howard, W. H. Wadsworth, John A. Cavan, David Irvine. Nathaniel W. Collins, John Q. A. King, Theodore Kohlhass, John Williams. William L. Conklin. T. W. W. DeCourcey, John P. Martin, Tucker Woodson, George T. Edwards, Daniel Matthewson, George Wright-33.

John S. McFarland, Charles Ripley, George W. Silvertooth, D. Howard Smith, C. J. Walton, D. K. Weis,

Those who voted in the negative, were-none.

Mr. DeCourcey moved the following resolution, viz:

Resolved, That for the information of the General Assembly of the Commonwealth of Kentucky, the Register of the Land Office be requested to report whether any of the lands on Wolf Island have been sold by any authority from this commonwealth, and if so, at what time, and how much of said land has been sold.

Which was adopted.

Mr. Bullock, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Joseph Yeager, reported the same with an expression of opinion that it ought not to pass.

Ordered, That said bill be made the special order of the day for Monday next, 18th inst., at half past ten o'clock, A. M.

Mr. Bullock, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to require lands to be listed for taxation in the counties in which the lie, reported the same with the expression of opinion that it ought not to pass.

Sundry amendments were proposed to said bill.

Mr. Hogan moved to lay said bill and amendments on the table.

And the question being taken thereon it was decided in the affirmative.

Mr. Bullock, from the same committee to whom were referred bills from the House of Representatives of the following titles, reported the same without amendment, viz:

An act for the benefit of Edmund M. Chestnut, of Laurel county.

An act to transfer the title of certain lands to the trustees of the Bethel High School, at Russellville.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said said bills do pass, and that the titles thereof be as

aforesaid.

Mr. Irvine, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Winchester and Mt. Sterling Central

Turnpike Road Company.

An act to incorporate Robinson Lodge No. 266, of Free and Accepted Ancient York Masons.

An act to give further power to the Jessamine County Court.

An act supplementary to an act, entitled, an act to incorporate the Blue Lick Hotel and Water Company, approved March 1, 1854.

An act to increase the fees of Jailers.

An act declaring Blackford Creek a navigable stream.

An act regulating the Circuit Courts in the 3d Judicial district.

An act for the benefit of James Clark, late Sheriff of Casey county.

An act for the benefit of William Moody, late Sheriff of Monroe county.

An act for the benefit of G. P. Jolly, late Sheriff of Breckinridge

county.

An act to amend the road law of Harrison county.

An act to extend the limits of the town of Lewisport.

An act for the benefit of John Osman, of Boone county

An act reserving power to amend or repeal charters and other laws.

An act for the benefit of Richard Taylor and his adopted daughter, Mary Richard Taylor.

An act to incorporate the Savings Bank of Kenton.

An act to incorporate the Kiddville and Red River Turnpike Road.

An act to change the county line between Knox and Harlan counties.

An act to regulate the rates of toll on the Wilderness Turnpike road. An act for the benefit of Patrick Napier, late Sheriff of Casey county.

An act to amend an act, entitled, an act to amend and reduce into one the several acts relating to the town of Glasgow.

An act better to regulate the standard weight of certain products.

And had found the same truly enrolled.

The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Irvine reported that the committee had performed that duty.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State, which was read as follows, viz:

Executive Department, February 14, 1856.

Gentlemen of the Senate:

In obedience to your resolution of this date, I have the honor to inform you, that the report of the Geological Survey of this State, as far as the same has been completed, was laid by me before the Legislature, on the 1st January last, as a document accompanying my message. A detailed account of the money expended on the survey is not in the Executive office, but I have directed the Auditor, who keeps the account, to furnish you with the desired information as soon as the same can be made out.

C. S. MOREHEAD.

The Speaker laid before the Senate a statement, by the Auditor, of the expenditures in making a Geological survey of the State, which which is as follows, viz:

HON. JAMES G. HARDY.

Lt. Governor, and Speaker of the Senate:

By the directions of the Governor, I herewith send an abstract of the expenses of the Geological Survey, as per vouchers filed in this office by Dr. D. D. Owen, State Geologist.

Amount paid by warrants on the 1854.	ie Tr	easure	er, pe	er ord	er of	the	Gover	nor,	viz:	No. 16. D.
May 3, Warrant No. 1,519,						15000		والوافا		\$500 00
June 21, Warrant No. 1,867,	-	-					100		40.0	750 00
Sep. 15, Warrant No. 2,345,		-							West P	250 00
Oct. 2, Warrant No. 2,416,		-		-		-	1	-	14 2 - 2	750 00
Oct. 10, Warrant No. 2,547, Dec. 1, Warrant No. 2,930.			-			-	01111			256 50
1855.		***	-		1				not H	993 50
Jan. 1, Warrant No. 14,							west a	1	mak s	300 00
Warrant No. 473,	7	-	-	-	-				d red	1,500 00
Amount carried form	rard.				NOV	100	de la constante	E SE	mir il	Ø5 200 00

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274	JOURNAL	UF I	FILL	DEL	ATT	14.	LA AB. AA.
				-			5,300 00
Amount	brought forward,	Take Tolk	•			是和基础是是	2,000 00
April 25, Warrant N	0. 879,		1		Section 3		2,700 00
Oct. 15, Warrant N	0. 2,213,						-
							\$10,000 00
Total drawn,	Committee and these				18.0		
CARL DUNING STATE	EX	PENDIT	URES	•			
No. 1-Vouchers-C	R Wilne, for man	ns	-	E Litter		10 00	200 000
No. 2, Jas. Sampson	for mules			-	-	240 00	
No. 3, V. M. Shaffe	e. for wagons and	picks,	-		- ,	146 00	
Mr. A Tan Chadatio	tor harness.		5		-	41 12	
No. 5. Jas. Sampson	a. bill of camp equ	nipage, in	cludin	ig ter	ıt	41 774	
and wagon (covers, -					41 74 95 00	
No. 6. Jas. Green, f	or barometers and th	nermomete	ers,	-	A DE	322 00	
			1			90 00	The Participant
No. 8, Ed. T. Cox, s	services as sub-assis	tant,				14 00	
No. 9, E. Mendenha	ill, for charts,	AL SERVICE	S. U.S.		1197	539 00	
No. 10, D. D. Owen	for books mans	tationery.	expe	nses	to		*
No. 11, D. D. Ower	freights, &c.,		-	~	-	271 73	
No. 12, E. T. Cox,	aggistant mealogist.	A COLUMN STREET	C. SAL		T.W.	192 50	
Mt. 19 TH Carm to	amoton .				-	91 00	
No. 14 D. D. Ower	. travelling expens	es of team	ns, &c	2.,	-	108 15	
No. 14, D. D. Owen No. 15, D. D. Owen	services.		5.			364 00	
No. 16. E. T. Cox.	assistant, -			And the se	Tie Ke	130 00	
No. 17, Wm. Carr, No. 18, James Fost No. 19, Morton & (No. 20, D. D. Ower No. 21, E. T. Cox,	teamster, -	-			-	52 00	
No. 18, James Fost	er, for instruments,			-	-	77 00 17 65	
No. 19, Morton &	Griswold, stationery	,		*	The last	182 00	
No. 20, D. D. Ower	n, services,	1000				65 00	
No. 21, E. T. Cox,	assistant,	0 870				235 12	
No. 22, Travelling	expenses, norse nur	e, cc.,	(COL)	Filat	10	181 05	
No. 23, Sydney S. No. 24, D. D. Owe	n corvices -				TANK!	280 00	
No. 25, E. T. Cox,	assistant, for expe	nses on bu	sines	of t	he	el talket enger	
survey,			-	-	-	13 00	
No 26. Sydney S.	Lvon, topog, assista	ant, -	100	-	Trans.	620 00	
No. 27. E. T. Cox.	assistant, -			7-120	10 IN	100 00	
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No. 29. A. Tieusch	h, instruments,		-	-	-	19 35 14 00	
No. 30, W. L. Nicl	holson, assistant,	- 7				35 00	
No. 31, J. Cawthor	n, services, -	A TOP OF THE		1	1000	3 33	AL THURSDAY BORN AND THE
No. 32, J. Cawthor	n, expenses,					140 00	
No. 33, W. L. Nich	noison, assistant,			100	-	52 00	
No. 34, Wm. Carr, No. 35, F. Armstro	no services -			-		35 00	
No. 36, F. Armstre	ong, services,	Mar Service	THE !	1.91		3 33	
No. 37, J. Chappel	Smith, assistant.	July 1 - 1	-	3 -	- 1	27 50	
No. 38, Webb & I	evering, stationery		-	-		24 25	
No. 39, Jas. W. Pr	rice, chainman,		2	-		50 00	
No. 40, A. Tieusch	, instrument,	- 11-15	10.5	-		60 00 256 50	
No. 41. Wm. J. Yo	oung, instruments,		-	-		7 00	
No 42, Wm. Carr	, teamster,	the tree	ALED Y	Mil.	-0	93 00	
No. 43, John Coop	er, feed for horses,	-			HUTTEU	300 00	19 100000029
No. 44, Rob. Peter	r, chemical assistant	t,	I de la		and the	200 00	
No. 45, Rob. Peter	, chemical assistant		The state of	-		483 00	
No. 46, D. D. Ow	en, services,	William Area of	and the		nil do	172 50	N'es annousi
No. 47, E. T. Cox No. 48, Wm. Arm	strong teamster.	-	-		-	24 00	
No. 49. D. D. Owe	en, services, -			-	3148	917 00	
No. 50, D. D. Owe	en, horse feed, ferria	ges, &c.,	-			164 10	The state of the state of
No. 51, Dr. R. Pet	er, chemical assistar	nt,		10-50		552 25	Control of the last of the las
No. 52, Jas. Shady	wick, harness and re	epairs,		-	-	13 30	
No. 53, V. M. Sha	ffee, wagon, tent-pir	15, &c.,	-	-		147 28	
No. 54. E. T. Cox	, assistant,		1	de		327 50 131 00	
No. 55, Wm. Arm	strong, teamster,	-				385 00	tree I Person
No. 56, Sydney S.	Lyon, assistant,		E CONT	3		73 50	
No. 57, Troost Ba	m sarvices,				1	73 50	
No. 20, G. H. Cra	in, services,						1
Amor	ints carried forward,		-		-	9,326 05	10,000 00
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Amounts brought forward,	-	S may 10	-	mali n	9,326	05	10,000 00
No. 59, S. S. Lyon, expenses, &c.,			-		57	35	
No. 60, E. T. Cox, assistant.			Park.	-	75	00	
No. 61, D. D. Owen, services,	- 2		-		378	00	
No. 62, Morton & Griswold, stationery,	1-7-4	-	-		32	60	
No. 63, S. S. Lyon, assistant,	-		-		130	00	
Total expenses, as per vouchers	7.14			AM			\$9,999 00
Leaving balance in hands of D. D. O.	wen,		1	17 100	1597	25.0	\$1 00
Respe	ectfully	1		TI	10. S.	PAGE	. Auditor.

Auditor's Office, Frankfort, February 14, 1856.

IIIO. S. INGE, Addass,

Ordered, That the Public Printer print 150 copies thereof for the use of the General Assembly, and that it be referred to the committee on Finance.

Mr. Buckner, from the committee on the Judiciary, asked to be discharged from the further consideration of a leave to bring in a bill for the benefit of Shelby College.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Buckner and Walton, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain,	John P. Martin,	W. H. Wadsworth,
James F. Buckner,	Daniel Matthewson,	C. J. Walton,
Samuel Howard,	Charles Ripley,	George Wright-11.
John Q. A. King,	George W. Silvertooth,	

Those who voted in the negative, were-

Charles H. Allen,	William C. Gillis,	Theodore Kohlhass,
John S. Barlow,	William T. Haggin,	John S. McFarland,
William C. Bullock,	James D. Hardin,	Robert C. Palmer,
John A. Cavan,	Sylvester Harris,	D. Howard Smith,
Nathaniel W. Collins,	Wiley S. Hay,	James Sudduth,
William L. Conklin,	James D. Headley,	D. K. Weis,
T. W. W. DeCourcey,	Overton P. Hogan,	Tucker Woodson-23.
George T. Edwards,	David Irvine,	

And then the Senate adjourned.

FRIDAY, FEBRUARY 15, 1856.

A message was received from the House of Representatives announcing that they had receded from their disagreement to an amendment proposed by the Senate, to a bill from that House, entitled, an act to authorize maried women to convey real and other property, under power of attorney.

That they had concurred in the amendments proposed by the Senate to a bill from that House, entitled, an act to amend the charter of the Louisville and Frankfort Railroad Company.

That they had disagreed to bills from the Senate of the following titles, viz:

An act providing for special Judges.

An act to incorporate the Neptune Fire Engine and Hose Company, No. 2, of Maysville.

An act for the benefit of Constables.

An act to incorporate the Neptune Fire Company in Ashland.

An act authorizing the County Court of Union to lay additional levy to build a county jail.

That they had passed bills and concurred in a resolution from the Senate of the following titles, viz:

An act to renew the charter of the Mechanics' Bank of Louisville.

An act declaring the South Kentuckian an authorized newspaper.

An act to prevent the destruction of fish in Little river, in Christian county.

An act to incorporate the Winchester and Red river Coal and Lumber Company.

An act for the benefit of G. W. McConnell, late sheriff of Woodford county.

An act for the benefit of the Methodist Episcopal Church South, in the town of New Castle.

An act to increase the pay of the members of the Legislature.

Resolution directing the printing of the Common School Laws in pamphlet form.

That they had passed bills of the following titles, viz:

An act to increase the duties of Assessors.

An act to amend the charter of the Covington and Lexington Railroad Company.

An act for the benefit of John Friend, jailor, of Floyd county.

An act to amend an act, entitled an act for the incorporation of Voluntary Associations, approved March, 1854.

An act for the benefit of Edmund Morris, of Calloway county.

An act to amend an act, incorporating the Mourt Hor Cemetery Company, in Kenton county.

Mr. Buckner, from the committee on the Judiciary, reported a bill for the benefit of Shelby College.

Which was read the first time, and ordered to be read a second time.

Said bill was read a second time as follows, viz:

WHEREAS, By an act entitled an act, for the benefit of Shelby College, approved, February 16th, 1837, a license or privilege was granted to certain persons, named in the said act, to raise by lottery in manner therein mentioned, any sum not exceeding \$100,000, to be appropriated for the use and benefit of Shelby College.

And, whereas, it was by the Revised Statutes, chapter 28, article 21, section 6, enacted that three years after that chapter should take effect all rights and privileges which might have been granted by the Legislature of this Commonwealth, to raise money by lottery for any purpose,

should cease and be determined.

And, whereas, it is represented to the present General Assembly that the Reverend Dr. William I. Waller, the President of the said College, has by, and with the concurrence of the Trustees of the same, advanced large sums of money to the said College on the security of

the said grant, which still remain due and unpaid.

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall and may be lawful for J. M. Bullock, T. O. Shackelford, J. L. O'Niel and Richard Niel, or a majority of such of them as may think proper to act, or their successors, to raise by a lottery or lotteries, and the sale of tickets therein, or by a sale and disposition as hereinafter mentioned, of the grant hereby made, at any time or times before the first day of Masch, 1866, any sum not exceeding \$80,000, to be appropriated for the use and benefit of Shelby College. And if any or either of the said managers shall die, refuse to serve, resign, or become unable further to act, the remainder of said managers shall have power to select another person or persons, from time to time, to fill the vacancy or vacancies so occuring; such vacancies to be filled by said managers, with the names of such person or persons as shall be suggested by resolution of the trustees of said College, and not otherwise, Provided, That the said managers, or such of them as may think proper to act, shall, before they enter upon the duties assigned them by this act, execute a bond to the Commonwealth of Kentucky, in the manner provided by the said first mentioned act; and such managers shall, in all respects, have the powers, and be subject to the same provisions contained in the said act, and of the acts amendatory thereof, as if the same were specifically set forth herein, so far as the same may be consistent with this act. Provided, also, that the grant hereby made shall cease and be determined so soon as the sum of \$80,000, shall have been actually received by the said managers by the means aforesaid,

and at all events shall not continue and be in force after the first day

of March, 1866.

§ 2. Be it further enacted, That the power of sale given in the said act shall be enlarged, so that the said managers, or a majority of such of them as may act, for the time being, shall be authorized to sell, dispose of, and assign the grant hereby made, and all the benefit and advantage thereof, upon such terms as they may deem advisable, for a consideration payable by installments or otherwise, to any person or persons who shall give satisfactory security to such managers for the payment of the consideration, at the times and in the manner agreed upon, and also give a bond or bonds to the Commonwealth of Kentucky with good security to the satisfaction of such managers, conditioned for the payment of all prizes which may become due agreeably to the schemes published by such contractor or contractors, his or their assigns, within sixty days after the drawing of the same, and for the payment of the salary of the commissioner, and the tax hereinafter mentioned, which bond or bonds shall be received and filed as provided by the said act. And thereupon such purchaser or purchasers, his or their assigns shall be entitled to the grant hereby made, and all the benefit and advantage thereof, and shall assume, and be charged with the entire management of the said lotteries, and the preparation and settlement of allor any schemes thereof-shall pay all expenses, costs and charges attending the same-sustain all risks, and losses, and pay all prizes drawn, after deducting an amount not exceeding fifteen per cent. thereon, and the said managers shall be discharged from all liability, on account, or in respect of the said lotteries. And it shall be stated on the tickets in the said lotteries that the contractor or contractors, and his or their sureties alone will be liable for the payment of the prizes, and the said managers shall appropriate the proceeds of such sale or sales, as, and when the same may be received, to the payment of the ascertained indebtedness of the said College, to the said Dr. William I. Waller, as aforesaid.

§ 3. And be it further enacted, That the Governor of this Commonwealth, for the time being, shall be, and he is hereby empowered to appoint a commissioner, whose duty it shall be from time to time, to superintend the said lotteries and attend the drawings thereof, either in person, or by deputy, in the city of Louisville, or else where, in this State, as may be determined by the managers or their assigns. And the Governor shall have power to remove such commissioner, and appoint his successor from time to time to fill any vacancy in the commission whenever it may happen. Such commissioner shall be paid by the managers or their assigns, the sum of \$2,400 per annum for each and every year in which he may be engaged in the performance of the duties assigned to him by this act. And until such commissioner shall be appointed, or if a vacancy shall happen in the said commission, then, until the same shall be filled up, the duties of the said commissioner shall be performed by the said managers, or by a majority of such of them as may act, or by the purchaser or purchasers from

them, his or their assigns.

§ 4. And be it further enacted, That the said managers or their assigns shall every year make a return under oath to the Governor of this

commonwealth for the time being, of the number and scheme price of all the tickets in the said lotteries, (if any) which may have been sold in this State, during the preceding year, and such managers or their assigns shall pay to the commonwealth of Kentucky a tax of one per cent. on the full amount thereof in lieu of all other taxes.

§ 5. And be it further enacted, That the trustees of said Shelby College shall report to said managers the amount of the indebtedness of said institution; and said managers shall, in accordance with said report, pay off said liabilities; and should there be a surplus remaining after the payment of the debts of said College, the same shall be paid over by said managers to the trustees for the time being of said Shelby College; and said trustees shall invest the same in good and solvent State stocks or bonds, and appropriate the interest arising thereon, first to the payment of the taxes, insurance and repairs of said college property, and the residue of said interest upon said investment, if any, shall by them be applied to the payment of the salaries of the professors of said institution, if necessary, or expended in the further improvement of said college property or re-invested as the principal fund is herein directed to be invested, as said trustees, in their discretion may deem proper and best for the interest of said institution.

Mr. King moved the following amendment to said bill:

Provided, That this act shall in no wise be construed to impair the grant heretofore extended to Paducah, but said grant shall be in full force and effect, in as full and ample a manner as though no act had been passed subsequent to the original grant.

And the question being taken on the adoption of the amendment, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Sudduth and Buckner, were as follows, viz:

Those who voted in the affirmative, were-

Jesse W. Burton, William L. Conklin, John Q. A. King-3. Those who voted in the negative, were-

Charles H. Allen. John S. Barlow, James F. Buckner, William C. Bullock, John A. Cavan, Nathaniel W. Collins, William Howell, T. W. W. DeCourcey, David Irvine, George T. Edwards, Theodore Kohlhass, William C. Gilliss, William T. Haggin, James D. Hardin.

Sylvester Harris, Wiley S. Hay, James D. Headley, Overton P. Hogan, Samuel Howard, John P. Martin. Daniel Matthewson, John S. McFarland,

Robert C. Palmer. Charles Ripley, D. Howard Smith, Shelby Stone, James Sudduth, W. H. Wadsworth, C. J. Walton, D. K. Weis, Tucker Woodson, George Wright-32.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and Hogan, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, William C. Bullock, John A. Cavan, T. W. W. DeCourcey, David Irvine, George T. Edwards, William C. Gillis,

William T. Haggin, Sylvester Harris, Samuel Howard, Robert C. Palmer, D. Howard Smith,

Shelby Stone, James Sudduth, D. K. Weis, John Williams, Tucker Woodson-17.

Those who voted in the negative, were-

John S. Barlow, James F. Buckner, Jesse W. Burton, Nathaniel W. Collins, John Q. A. King, William L. Conklin, Wiley S. Hay,

James D. Headley, Overton P. Hogan, William Howell, Theodore Kohlhass, John P. Martin,

Daniel Matthewson, John S. McFarland. Charles Ripley, W. H. Wadsworth, C. J. Walton, George Wright-18.

So the said bill was rejected.

The Senate took up for consideration a bill to amend the Revised Statutes, chapter 88, title, schools and seminaries, with the pending amendments.

Ordered, That said bill and amendments be referred to the committee on Education.

The Senate took up for consideration a bill to amend the charter of the Commercial Bank of Kentucky.

Said bill was amended, and reads as follows. viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, The first section of the act, entitled, an act to incorporate the Commercial Bank of Paducah, approved January 3, 1852, (changed by a supplemental act, approved January 2, 1852 to the Commercial Bank of Kentucky,) be, and the same is hereby amended so as to authorize an increase of the capital stock of said bank two hundred thousand dollars, to be subscribed for, and paid in gold and silver, in such manner and upon such terms as the president and directors may prescribe.

§ 2. The second section of said first mentioned act is hereby amended so as to require the president and directors of the Commercial Bank of Kentucky to establish a branch thereof at Glasgow, Barren county, with such an amount of capital as the directors of said bank may deem expedient, not less, however, than one hundred thousand dol-

§ 3. The number of directors for the branch hereby authorized to be . established, shall be the same as that of the other branches. The first board of directors for the branch at Glasgow, shall be appointed by the directors of the principal bank, and thereafter the directors for said branch shall be elected by the stockholders at their annual meeting at the same time, place, and manner as the directors of the other branches of said bank are elected. Each director, both of the principal bank and branches, shall continue in office until his successor qualifies.

§ 4. For the protection of the bill holders and the safety of the bank, the president and directors are authorized to increase the contingent fund to such an amount of the protection of the bank,

fund to such an amount as they may deem expedient. § 5. This act shall be in force from its passage.

Mr. Woodson moved further to amend said bill, adding thereto the following at the end of the 4th section:

Be it enacted, That two-thirds of the business of said branch bank shall be in discounting promissory notes made payable at the counter of said branch bank, and one-third of the businesss of said branch bank may be in the purchase of domestic or foreign bills of exchange; and any violation of the provisions of this section shall be a forfeiture of the banking privileges of said branch bank.

§ 2. That the said branch bank shall in no case charge a greater rate of exchange on bills of exchange, or negotiable promissory notes payable at any other place, than one-fourth of one per centum, and in

no event, more than one per cent. upon any foreign bill.

§ 3. That the president, directors and stockholders in said branch shall be liable, in their individual capacity, for the debts of said branch. And the Legislature reserves to itself, at any time hereafter, the right to repeal or amend this act.

Mr. Hardin moved to amend the amendment proposed by Mr. Woodson, by adding thereto the following:

Provided, That the mother bank and the existing branches, shall not be effected by the restrictions imposed by this act.

Pending the consideration of which, the Senate resolved itself into committee of the whole, on said bill and amendments, Mr. Weis in the chair, and after some time spent therein, the Speaker resumed the chair, when Mr. Weis reported that the committee had had under consideration the bill and amendments aforesaid, that they had adopted the amendments proposed to said bill, and had directed him to report the same to the Senate.

The question was then taken on the adoption of the amendment proposed by Mr. Hardin, and it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Woodson, and it was decided in the affirmative.

The year and nays being required thereon, by Messrs. Woodson and Blain, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, Robert Blain, William C. Bullock, Jesse W. Burton, James D. Headley, Overton P. Hogan, Samuel Howard, William Howell,

Robert C. Palmer, Shelby Stone, James Sudduth, W. H. Wadsworth, Nathaniel W. Collins, John P. Martin, T. W. W. DeCourcey, Daniel Matthewson, Wiley S. Hay,

Those who voted in the negative, were-

John S. Barlow, David Irvine. John S. McFarland, John A. Cavan, John Q. A. King, Charles Ripley, D. K. Weis—9.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Stone and Barlow, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen,
John S. Barlow,
William C. Bullock,
Jesse W. Burton,
John A. Cavan,

Nathaniel W. Collins,
T. W. W. DeCourcey,
William C. Gilliss,
William T. Haggin,
James D. Hardin,
D. K. Weis—15.

Those who voted in the negative, were-

David Irvine, James Sudduth, Robert Blain, Theodore Kohlhass, C. J. Walton, Wiley S. Hay, John P. Martin, John Williams, James D. Headley, Tucker Woodson, Overton P. Hogan, Daniel Matthewson, John S. McFarland, George Wright-17. Samuel Howard, William Howell, Charles Ripley,

Mr. Ripley moved a reconsideration of the vote by which the Senate rejected said bill.

And the question being taken on reconsidering said vote it was decided in the affirmative.

Ordered, That the further consideration of said bill be postponed until quarter past ten o'clock on Monday next.

A message was received from the Governor, by Mr. Brown, Secretary of State, which was read as follows, viz:

Executive Department, February 15, 1856.

Gentlemen of the Senate:

I have approved and signed an enrolled bill, entitled, an act to establish the People's Bank of Kentucky, in connection with an enrolled bill supplimental thereto, entitled, an act supplimental to an act to establish the People's Bank, considering them as virtually one act. Also an enrolled bill, entitled, an act to incorporate the Bank of Ashland, in connection with the act supplimental thereto, entitled, an act supplimental to an act to incorporate the Bank of Ashland, considering them as virtually one act. All of which originated in the Senate.

It may not be improper to say that I have seen no reason whatever

to change the views expressed by me in my message. I still think that "there ought to be no necessary or unsafe expansion of the currency," and "that it would not add anything to the prosperity of the State to increase the number of our banks." The Legislature, however, has in its wisdom thought differently. With the sincere and unaffected respect which I entertain for that body, I have given to the whole subject all the consideration demanded by its importance, and while I still honestly entertain the opinion that these banks will add nothing to the permaaent prosperity of our country, yet, with the comparatively small capital incorporated, I cannot say that they will create an unsafe expansion of the currency. As the interest of the public seems to be well guarded by the passage of the supplimental bills, I have, in deference to the legislative will, concluded and and accordingly approved and signed these bills, not however without much hesitation and great doubt.

C. S. MOREHEAD.

Mr. Silvertooth, from a select committee, reported a bill to incorporate the Hichman Building and Loan Association.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives of the following titles were severally read the first time, viz:

- 1. An act to incorporate the first Presbyterian Church in the city of Augusta.
- 2. An act to establish Police Judge and Town Marshal in the town of Mt. Olivet in Bracken and Nicholas counties.
- 3. An act to authorize the Trigg county court to change the State road from Hopkinsville to Cadiz.
- 4. An act for the benefit of the Circuit Court Clerk of Campbell county.
- 5. An act to amend the charter of the Greensburg and Taylor county Turnpike Road Company.
 - 6. An act to incorporate "College City" in Caldwell county.
- 7. An act in aid of counties which have subscribed to the capital stock of the Louisville and Nashville Railroad.
- 8. An act for the benefit of Zachariah B. Sailor, late Sheriff of Harlan county.
 - 9. An act to amend the charter of New Haven.
- 10. An act to incorporate the Catholic Benevolent Society of Covington.

- 11. An act to change the time of holding the August term of the Laurel Quarterly Court.
 - 12. An act to reduce the width of High street in Louisville.
 - 13. An act to incorporate Ringgold Lodge, No. 27, I. O. O. F.
 - 14. An act to abolish a ferry on the Ohio river, in Meade county.
- 15. An act to amend an act, entitled, an act to establish the town of Frederick in Warren county, approved 6th Feb., 1839.
- 16. An act to incorporate the Rough Creek Navigation and Manufacturing Company.
- 17. An act to amend the charter of the Covington and Lexington Railroad Company.
 - 18. An act to aid in removing free negroes from this State to Liberia.
- 19. An act to increase the powers of the Marshal of the town of Mt. Sterling.
 - 20. An act to regulate the fees of witnesses in certain courts.
 - 21. An act to incorporate the Western Insurance Company.
 - 22. An act to amend the 42d chapter of the Revised Statutes.
- 23. An act to incorporate the Union and Richwood Turnpike Road Company.
- 24. An act to repeal the charter of the town of Florence, in Boone county.
- 25. An act to amend the charter of the town of Brooksville, in Bracken county.
 - 26. An act to incorporate the town of Baltimore, Hickman county.
- 27. An act to amend section 17, article 4, chapter 47, of Revised Statutes.
 - 28. An act to establish a sinking fund for the county of Clarke.
 - 29. An act to extend the corporate limits of the city of Louisville.
 - 30. An act for the benefit of William Allcock.
- 31. An act for the benefit of the Methodist Episcopal Church South, at Alexandria.
 - 32. An act for the benefit of E. Shrival.
 - 33. An act to mitigate the punishment for duelling.
- 34. An act to amend the charter of the Odd Fellows' Association of Covington.
- 35. An act to incorporate the Evangelic Church and School Association at Alexandria.
- 36. An act to amend the charter of the Kentucky Ship Building and Lumber Company.
- 37. An act for the benefit of Kentucky Institution for the education of the blind.
 - 38. An act to amend the law in relation to attachments in civil cases.
 - 39. An act to incorporate the Nelson County Agricultural Society.

40. An act to increase the jurisdiction of the Mayor's Court of Covington.

41. An act to incorporate the Maysville Fire, Marine and Life Insurance Company.

. 42. An act to increase the duties of Assessors.

43. An act for the benefit of John Friend, jailor, of Floyd county.

44. An act to amend an act, entitled an act for the incorporation of Voluntary Associations, approved March 9, 1854.

45. An act for the benefit of Edward Morris, of Calloway county.

46. An act to amend an act, incorporating the Mount Hor Cemetery Company, in Kenton county.

Ordered, That said bills be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 31st, and 35th to the committee on Religion; the 2d, 3d, 11th and 42d to the committee on County Courts; the 4th and 20th to the committee on Circuit Courts; the 5th, 7th, 16th and 23d to the committee on Internal Improvement, the 6th, 9th, 10th, 12th, 13th, 14th, 15th, 17th, 19th, 21st, 24th, 25th, 26th, 29th, 30th, 32d, 33d, 34th, 38th, 40th, 41st, 44th and 45th to the committee on the Judiciary; the 8th, 18th and 43d to the committee on Finance; the 22d and 27th to the committee on Revised Statutes; the 28th to the committee on the Sinking Fund; the 36th and 39th to the committee on Agriculture and Manufactures; and the 37th and 46th to the committee on Education.

The Senate took up for consideration the amendments proposed by the House of Representatives, to bills from the Senate of the following titles, viz:

An act to incorporate the Mechanic's Fire Company, No. 1, of Jersey City and Paducah, Kentucky.

An act to incorporate the Relief Fire Company, No. 2, of Paducah, Kentucky.

An act to incorporate the town of Ashland.

Which were twice read and concurred in.

Also, a resolution from the House of Representatives, in relation to furnishing State charitable institutions with certain public books.

Which were twice read and concurred in.

Leave was given to bring in the following bills, viz:

On motion of Mr. Blain-1. A bill to amend the charter incorporating the Bank of Ashland.

On motion of Mr. DeGourcey—2. A bill to incorporate the Savings Bank of Kentucky.

On motion of Mr. Barlow-3. A bill to incorporate the Deposit Bank of Glasgow.

On motion of Mr. DeCourcey—4. A bill to amend the charter and laws of the city of Newport and Covington.

On motion of Mr. Weis—5. A bill to attach the county of Greenup to the 11th judicial district, and Bath county to the 10th district.

On motion of Mr. Haggin—6. A bill to authorize civil actions between the county of Jefferson and the city of Louisville.

On motion of same—7. A bill to incorporate the Union Mining and Manufacturing Company.

On motion of Mr. Palmer—8. A bill to incorporate the Deposit Bank of Lebanon.

Ordered, That the committee on Bank prepare and bring in the 1st, 2d and 8th; Messrs. Barlow, Smith and Hardin the 3d; the committee on Propositions and Grievances the 4th; Messrs. Weis, Sudduth and Martin the 5th; the committee on County Courts the 6th; and the committee on Agriculture and Manufactures the 7th.

Mr. Silvertooth read and laid on the table the following joint resolution, to-wit:

Whereas, It is represented to this General Assembly that the Legislature of the State of Tennessee has, by law, directed the Governor of that State to purchase the Hermitage, and tender the same to the general government, on conditions that a branch of tho military institute at West Point be located there. Therefore—

Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators in Congress be instructed, and our representatives requested to use their exertions and influence to induce the general government to accept the same, and locate an institution there as indicated.

That the Governor of this State be requested to forward a copy of this preamble and resolution to our Senators and Representatives in Congress.

Mr. Weis presented the remonstrance of sundry citizens of the county of Hopkins, remonstrating against any portion of said county being taken off for the purpose of forming a new county.

Which was received, the reading dispensed with, and referred to the committee on Propositions and Grievances.

And then the Senate adjourned.

SATURDAY, FEBRUARY 16, 1856.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate, entitled, an act to incorporate the Bank of Harrodsburg, Kentucky.

Mr. Irvine presented the petition of C. C. Ball and others, praying

the passage of an act increasing the fees of certain officers.

Mr. King presented the remonstrance of sundry citizens of the town of Paducah, remonstrating against the passage of an act excluding agencies of foreign insurance companies from this State.

Which were received, the reading dispensed with, and referred to

the committee on the Judiciary.

On motion of Mr. Harris leave was given to bring in a bill for the benefit of James Quinn and others.

Ordered, That Messrs. Harris, Haggin and Blain prepare and bring

Mr. Collins moved a re-consideration of the vote by which the Senate on vesterday rejected a bill for the benefit of Shelby College.

Which vote was re-considered.

Ordered, That the further consideration of said bill be postponed until Monday, the 18th inst., 11 o'clock, A. M.

Mr. Gilliss, from the committee on Public Offices, made the following report, viz:

The undersigned, committee of the Senate to whom was referred the communication of R. C. Wintersmith, State Treasurer, having had the same under consideration, and after a full and faithful investigation of the facts, submit, for the consideration of the Senate, the following

The act of 9th March, 1854, on which Mr. Wintersmith drew the

money, is in these words:

"That hereafter there shall be an allowance of one thousand dollars per annum for clerk's hire in the Auditor's office, and five hundred dollars per annum to the Treasurer, to enable him to employ the services

of a clerk, to aid him in the performance of his duties."

It will be perceived that the appropriation is direct to the Treasurer, to enable him to employ a clerk's services, to aid him in the performance of his duties. The appropriation being direct "to the Treasurer," certainly gave him an indisputable right to the money, not only to draw the money from the Treasury, but gave to him, in the opinion of your committee, the control of the same, unless expressly interdicted by some clause in the act; does such interdictoty clause exist? Your committee are of opinion that it does not. Although the five hundred

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dollars was given though the means of the services of a clerk, to enable him to perform the duties of his office, still the performance of those duties was the ultimatum required, and as a faithful discharge of the duties was all that was demanded; and as the money was only given to enable him to employ the services of a clerk; and as nowhere in said act is the said Treasurer expressly required to employ a clerk, nor expressly required to employ even the services of a clerk, but only enabled to employ such services, your committee came necessarily to the conclusion, that to the Treasurer was given the entire control of the money, and that in consideration of the complete discharge of all the duties incumbent on the office of which Mr. Wintersmith is the head.

The next question which presents itself is, had he a right morally to retain the money? The answer to that depends, in the opinion of your committee, alone on the question of whether the Treasurer had faithfully and fully discharged the duties of his office? It was to secure such a discharge of the duties that the money was appropriated; and your committee having had ample means and opportunity afforded them to ascertain the fact, that those duties were all duly, faithfully, and promptly performed, give it as their opinion, unhesitatingly, that he is morally entitled to retain the money. So much for the legal and moral construction given to the act, under which the money was drawn and appropriated.

But your committee propose to take a more general and more extended view of the act of 9th March, and its effect upon the Treasurer.

It is evident that no competent clerk could be procured at five hundred dollars per annum; and it appears clear to the view of your committee, that such was the view taken of it by the Legislature passing the act; otherwise, instead of placing five hundred dollars solely under the control of the Treasurer, the Legislature would have made the necessary provision for the permanent establishment of a clerkship in that office, with a stipulated salary. It appears also evident to your committee that the Legislature regarded the duties of the office of Treasurer as imposing labors upon that officer, for which his annual salary was not an adequate compensation. Yet that the duties to be performed and labor requisite thereto, were not sufficiently great to justify the permanent employment of a salaried clerk; and therefore, to relieve the Treasurer of some of the labors incident to his office, the Legislature gave to that officer the five hundred dollars, that he might employ such aid as was necessary to the accomplishment of all his official duties; nowhere, however, binding him to any stipulated obligation but that of a prompt and faithful discharge of official duty, which he might thus be enabled to secure.

It may be said, however, that in was not the intention of the Legislature to employ the head of a bureau, or salaried officer at the head of a department, to do clerk's service, in connection with his duties of office and salary attached. Such a course, your committee are of opinion, practiced upon as a rule, would be improper; yet there are some peculiarities incident to the case under consideration. The office of Treasurer is one of deep responsibility, of heavy obligation, of imminent trust, having the keeping and handling of the entire cash revenues of the Commonwealth paid into said office annually, and being

responsible for every dollar thereof, the Legislature would very naturally feel some delicacy in ordering a clerk in that department, unless at the express desire of the official incumbent, and would, your committee are of opinion, choose rather not to interfere in the internal conduct of the office by giving a permanent clerk, but give such additional aid to the principal officer as to enable him to secure the per-

formance of the duties, holding him alone responsible.

It may be urged, however, that as the Treasurer hired no clerk, that his salary is sufficient to secure the proper performance of his official duties, arguing from the fact that he did so perform them without the aid of clerk service. That may be a question calling for future action on the part of the Legislature; it certainly has nothing to do with the action of the past. The Legislature who passed the act of 9th March, 1854, must have supposed that the salary of the Treasurer was inadequate both to superintend the business of the office and perform the mechanical labors; else the five hundred dollars would not have been given. It appears that instead of increasing the salary direct, in its wisdom the Legislature thought proper to vote the five hundred dollars to the Treasurer, that he might avail himself of clerk service; believing, as it must have done, that the salary allowed by law was not an amount sufficient to compensate the incumbent for the discharge of all the duties of that office.

Your committee find that Mr. Wintersmith did, from time to time, avail himself of the aid of a clerk or of clerks, but that the service was rendered gratuitously to Mr. Wintersmith; which labors if charged for at a reasonable sum, would have amounted to a considerable sum; and that after the aid thus afforded, Mr. Wintersmith was enabled, by extra labor, to discharge all the duties devolving upon his office. Your committee cannot suppose that the State of Kentucky would ask her legislators to reclaim any moneys given to an agent to purchase the performance of certain services, which the friends of such agent chose gratuitously to perform for such agent, out of personal kindness, but for which they would be entitled to pay from the Commonwealth. And if Mr. Wintersmith chose to perform the additional labor necessary in his office by extra exertions, instead of hiring a a clerk, most certainly the Commonwealth is as well served as if she had secured its performance by hiring a clerk.

In view, therefore, of the foregoing facts, your committee would sum-

up their opinion as follows:

First—That Mr. Wintersmith was entitled to the money legally, the law being clear, to our minds, on that point.

Second—That he was entitled to it morally; he having by himself and friends performed the duties for which it was appropriated; and

Third—That no censure should attach to Mr. Wintersmith; he having, as we are full satisfied, acted openly, fairly, and candidly in the full and honest conviction, that he had an unquestionable legal and moral right to the money.

With a full appreciation of the wisdom of the Legislature who passed the law of the 9th of March, 1854, and a true delicacy of feeling in approaching the subject of any suggestion relative thereto, still, impressed by a sense of duty, inspired by a knowledge of the unpleasant

position in which it has already placed a worthy and deserving public servant, we would recommend to the present Legislature its immediate repeal; and furthermore, after a careful examination into the duties of Treasurer—in view of his deep responsibilities—his constant application, that he must bring to the station the highest grade of moral worth, an integrity above suspicion, an honesty which cannot be seduced by temptation, that he must reside at the Capital; that he must occupy a position in society befitting the dignity of the noble Commonwealth of which he is an important ministerial officer. Impressed with these arguments, your committee unhesitatingly recommend to to the present General Assembly, the propriety of increasing the salary of the Treasurer to two thousand dollars per annum.

All which is respectfully submitted,

JAMES SUDDUTH, W. C. GILLISS, Committee on Public Offices.

Ordered, That the Public Printer print 150 copies of said report for the use of the General Assembly.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State, announcing that he had approved and signed enenrolled bills which originated in the Senate, of the following titles, viz:

An act for the benefit of the Ohio County Court.

An act appropriating money for the preparation of registration reports and tables.

An act for the benefit of the Kentucky institution for the education

of the deaf and dumb.

An act for the benefit of Addison Williams, late Circuit and County Court Clerk of Whitley county.

An act authorizing the County Court of Larue to sell the Poor House lands of said county.

An act to incorporate the Lowell and Back Creek Turnpike Road Company in Garrard county.

An act to authorize the County Court of Madison to sell the Poor House lands in said county.

An act to incorporate the Hawkins Branch Turnpike Road Com-

An act to authorize the trustees of Olivet Church to sell the church and lot upon which it stands.

An act to authorize a special election in the city of Louisville.

An act to incorporate the Kirksville Turnpike Road Company in Madison county.

An act for the benefit of N. H. Ryan, of Calloway county.

An act to create an additional voting precinct in Campbell county,

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An act for the benefit of John W. De Jarnett, late Sheriff of Grant county.

An act authorizing the railroad collector of McCracken county to appoint one or more deputies.

An act for the benefit of Edwin Trimble, late clerk of Floyd county.

An act to incorporate Kenton Lodge, No. 24, I.O. O. F.

An act in relation to the Seminary fund of McCracken county.

An act for the benefit of Ann White.

An act for the benefit of Henry Grinstead, Sr., of Hart county.

An act for the benefit of Nimrod D. Wheeler, late Sheriff of Pendleton county.

An act for the benefit of the sheriff of Harrison county.

An act to incorporate Olive Branch Encampment No. 6, I. O. O. F.

An act to change the time of holding the February and August terms of the McCracken County and Quarterly courts.

An act to amend an act creating a Sinking Fund for the county

An act to amend the charter of the Hickman and Obion railroad company.

An act to incorporate the Barren County Railroad Company.

An act for the benefit of Turnpike Road Companies in Campbell county.

An act for the benefit of the Circuit Court clerk of Harrison county.

An act to legalize the proceedings of a special term of the Harlan county court.

An act to incorporate the Buena Vista Springs Company.

An act creating the office of Police Judge, in the town of Wysming, in Bath county.

An act giving additional jurisdiction to the Police Judge of Owingsville.

An act to divide the State into thirteen Judicial Districts.

Preamble and resolution directing the Public Printer to publish preamble and resolutions in reference to the death of Henry Clay.

Resolution in relation to the tobacco trade.

Approved February 9, 1856.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Bullock, from the committee on the Judiciary—A bill to incorporate the Salem Presbyterial Academy.

By same—A bill incorporating the Eminence High School.
By same—A bill concerning the collection of officers' fees.

By Mr. Harris, from a select committee—A bill for the benefit of the heirs of Frank Quinn, deceased.

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Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bills being dispensed, and the same being engressed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bullock, from the committee on the Judiciary, reported a bill for the benefit of John G. and Archibald G. King, executors of Heinrich C. L. Shaper, deceased.

Which was read the first time as follows, viz:

Whereas, It is represented to the General Assembly, Heinrich C. L. Shaper, deceased of whose estate James G. King and Archibald G. King, are the executors, and owners of four bonds of the State of Kentucky, numbered respectively fifty-two, one hundred and fifty-six, one hundred and fifty-seven, and two hundred, of the issue dated 4th day of November, 1840, for the sum of one thousand dollars each, and that said bonds were lost at sea by the sinking of the United States mail steamship Arctic, in the month of September, 1854, and that no interest has been paid on said bonds since that time; and it appearing from the Auditor's books, that no interest coupons have been paid on said bonds since the date of the alledged loss. Therefore—

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That upon said James G. King and Archibald G. King executing bond with such security resident in the State of Kentucky, as shall be approved by the commissioners of the sinking fund, conditioned to save harmless the State of Kentucky, from all loss or payment on account of said bonds and the interest coupons thereto attached, the said commissioners shall be authorized to pay to said James G. and Archibald G. King, executors aforesaid, the interest that is now in arrears upon said bonds and coupons, and issue a certificate to them, which shall not be assignable in law or equity and which shall entitle them to receive the interest as it becomes due, on said bonds, and the principal when it becomes due or payable. Said commissioners are further authorized, if by them deemed advisable to redeem said bonds at any time by payment of the principal sum thereof.

§ 2. That before any payment by said commissioners, said James G. and Archibald G. King shall file with them the evidence of the loss of said bonds, and of their authority to receive the sum, and no payment shall be made by them, unless satisfied of said loss and ownership.

Ordered, That said bill be read a second time.

The constitutional provision as to the second and third reading of said bill being dispensed with, and the same being engressed,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hogan and King, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, John S. Barlow, Robert Blain, James F. Buckner. William C. Bullock, Jesse W. Burton. Nathaniel W. Collins, William Howell, William L. Conklin, David Irvine, T. W. W. DeCourcey, John Q. A. King, George T. Edwards, William C. Gillis,

William T. Haggin, James D. Hardin, Sylvester Harris, Wiley S. Hay, James D. Headley, Samuel Howard, Theodore Kohlhass, John P. Martin,

John S. McFarland. Robert C. Palmer, Charles Ripley, George W. Silvertooth, D. Howard Smith, Shelby Stone, James Sudduth, W. H. Wadsworth, D. K. Weis, Tucker Woodson-32.

Those who voted in the negative, were-Overton P. Hogan, Daniel Matthewson, C. J. Walton-3.

Resorved, That the title of said bill be as aforesaid.

Mr. Bullock, from the same committee, to whom was referred a bill requiring verification of claims upon the treasury, and to prevent swindling, reported the same without amendment.

Said bill was amended.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be amended to read, an act requiring verification of claims upon the treasury.

Mr. King, on leave, reported a bill to fix the time of holding the chaneery and criminal courts in the 1st judicial district.

Which was read the first time, and ordered to be read a second

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That the Public Printer print 150 copies thereof for the use of the General Assembly, and that said bill be placed in the orders of the day.

Mr. Wadsworth, from the committee of thirteen appointed to arrange the Circuit Courts, reported a bill regulating the time of holding the Circuit Courts.

Which was read the first time, and ordered to be read a second time. The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That the Public Printer print 150 copies thereof for the use of the General Assembly, and that it be placed in the orders of the

Leave was given to bring in the following bills, viz:

On motion of Mr. Howard—1. A bill to incorporate the town of Ghent, in Carroll county.

On motion of same-2. A bill for the benefit of Benjamin Crosman,

Justice of the Peace in Boone county.

On motion of Mr. Cavan—3. A bill to establish the Deposit Bank of Carlisle.

Ordered, That the committee on Circuit Courts prepare and bring in the 1st; the committee on Finance the 2d; and the committee on Banks the 3d.

The Senate took up for consideration a bill relating to the late Keeper of the Penitentiary.

Mr. Hogan moved to lay said bill on the table.

And then the Senate adjourned.

MONDAY, FEBRUARY 18, 1856.

The following communication was received from the Lieutenant Governor, to-wit:

Frankfort, February 18, 1856.

Hon. Theodore Kohlhass,
Indisposition prevents me from presiding over the Senate to-day,
and Mr. Senator Kohlhass will oblige me by taking the chair for this
day.

JAMES G. HARDY, Speaker of the Senate.

Whereupon Mr. Kohlhass took the chair.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, to-wit:

An act to incorporate the Buffalo and Hamilton Turnpike Road

Company.

An act to improve the State Road from Columbia to Albany.

An act to change the time of holding the Owsley Quarterly Court.

An act to authorize the Louisville and Frankfort and Lexington and

Frankfort Railroad Companies to consolidate their Companies.

An act to incorporate Belle Colline Female College, Franklin county.

An act regulating the application of moneys arising from the sales of vacant lands lying in Hart county.

An act to authorize the Salt River Turnpike Road Company to sur-

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render a portion of said road to the Louisville and Cane Run Plank Road Company.

An act to amend the charter of the Louisville and Newport Branch Railroad Company.

An act for the benefit of Lemuel Hibbard, late Sheriff of Laurel county.

An act for the benefit of John Philly.

An act for the benefit of the Methodist Episcopal Church South, in Shelbyville.

An act supplemental to an act to incorporate the Bank of Harrodsburg.

An act to authorize the County Court of Mercer to subscribe stock a certain Turnpike Road.

An act incorporating the Harrodsburg and Cornishville Turnpike Road Company.

An act to incorporate the Harrodsburg Springs Company.

That they had received official information from the Governor, that he had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to declaring Wolf creek, in Lawrence county, a navigable stream.

An act to incorporate McKee Lodge, No. 35, of Independent Order of Odd Fellows, at Versailles.

An act to incorporate the German Mutual Insurance Association in Louisville.

An act for the benefit of John Friend, Sheriff of Floyd county. An act to amend the charter of the city of Covington.

An act for the benefit of Elisha Breeding, late sheriff of Letcher county.

An act for the benefit of James S. Coleman, late Sheriff of Ohio county.

Approved February 9, 1856.

An act to incorporate the Cypress Pond Draining Company.

Approved February 13, 1856.

An act to extend the limits of the town of Lewisport.

An act for the benefit of John Osman, of Boone county

An act for the benefit of G. P. Jolly, late Sheriff of Breckinridge county.

An act to amend the road law of Harrison county.

An act for the benefit of James Clark, late Sheriff of Casey county. An act for the benefit of William Moody, late Sheriff of Monroe county.

An act to incorporate the Winchester and Mt. Sterling Central Turnpike Road Company.

An act to incorporate the Savings Bank of Kenton.

An act to amend an act, entitled, an act to amend and reduce into one the several acts relating to the town of Glasgow.

An act better to regulate the standard weight of certain products.

An act to incorporate the Kiddville and Red River Turnpike Read.

An act to change the county line between Knex and Harlan counties.

An act to regulate the rates of toll on the Wilderness Turnpike road.

An act for the benefit of Patrick Napier, late Sheriff of Casey county.

Approved February 15, 1856.

An act reserving power to amend or repeal charters and other

An act for the benefit of Richard Taylor and his adopted daughter,
Mary Richard Taylor.

Approved February 14, 1856.

The Senate according to order, took up for consideration a bill from the House of Representatives, entitled, an act for the benefit of Joseph Yeager.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So the said bill was disagreed to.

1. Mr. Smith presented the petition of John W. White and others, praying the establishment of a bank of deposit in the town of Mount Sterling.

2. Mr. Barlow presented the petition of W. S. Brown, praying the passage of an act changing the name of his female school.

3. Mr. Blain presented the petition of sundry citizens of the county of Pulaski, asking an appropriation of money for the improvement of the Cumberland river, in said county.

4. Mr. Bullock presented the petition of sundry citizens of the county of Shelby, asking an act of incorporation for a turnpike road in said county.

• 5. Mr. Wadsworth presented the petition of sundry citizens of the county of Mason, asking the passage of an act relieving the stockholders of a turnpike road leading from Dover to Maysville, from their present pecuniary embarrassment.

6. Mr. Collins presented the petition of sundry citizens of the county of Clay, in relation to the exacting of tolls at a toll-gate in the county of Knox.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Banks; the 2d to the committee on Education; the 3rd to the committee on Federal Relations; the 4th to the commit-

tee on the Judiciary; and the 5th and 6th to the committee on Internal Improvement.

Leave was given to bring in the following bills, viz:

On motion of Mr. Palmer-1. A bill to amend the act incorporating the Springfield and Bardstown Turnpike Road Company.

On motion of Mr. Silvertooth—2. A bill to amend an act, entitled, an act to amend and reduce into one the several acts relating to the town of Hickman.

On motion of Mr. Hogan—3. A bill for the benefit of the Circuit Court Clerk of Harrison county.

On motion of Mr. Matthewson-4. A bill better to define the duties of County Court Clerks.

On motion of Mr. Howell—5. A bill to authorize County Court Clerks to issue all process of the quarterly courts in the absence of the County Judge.

On motion of Mr. Palmer-6. A bill for the benefit of the Sheriff of Washington county.

On motion of Mr. Silvertooth-7. A bill for the benefit of the Clerk of the Hickman Circuit Court.

On motion of Mr. Gillis—8. A bill for the benefit of James Henderson, Jr., of Rockeastle county.

On motion of Mr. Ripley-9. A bill to amend the law in relation to licenses.

On motion of same—10. A bill to incorporate the Louisville Lunatic Asylum Company.

On motion of same--11. A bill to fix the salary of the Judge of the Louisville City Court.

On motion of Mr. Howell—12. A bill to amend the 5th section, article 3, chapter 93, of Revised Statutes, title slaves, runaways, free negroes, &c.

Ordered, That Messrs. Palmer, Blain and Howell prepare and bring in the 1st; Messrs Silvertooth, King and Barlow, the 2nd; Messrs. Hogan, Palmer and Howard, the 3d; the committee on County Courts, the 4th; the committee on the Judiciary, the 5th, 10th and 11th; Messrs. Palmer, Hogan and Conklin, the 6th; Messrs. Silvertooth, Allen and Hardin, the 7th; the committee on Propositions and Grievances, the 8tth; the committee on Finance, the 9th; and the committee on Revised Statutes, the 12th.

Mr. Sudduth moved the following resolution, viz:

Resolved, That a standing committee of three members of the Senate be appointed by the Speaker, to be styled the committee on the Geological Survey.

Which was adopted.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Bullock, from the committee on Judiciary-A bill in relation

to a new road in Lewis and Fleming counties.

By same—A bill to incorporate the Paducah Gas Light Company. .By same-A bill to amend the act establishing the Boston and Aikin Turnpike Company.

By Mr. Silvertooth, from a select committee-A bill to amend an act, entitled, an act to amend and reduce into one the several acts respect-

ing the town of Hickman.

By Mr. King, from the committee on Banks-A bill to incorporate the Deposit Bank of Lebanon.

Which were read the first time and ordered to be read a second time. The constitutional provision as to the second and third reading of said bills being dispensed with, and the same being engressed.

Resolved, That said bills do pass, and that the titles thereof be as

aforesaid. Mr. Silvertooth, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled, an act supplemental to an act, entitled, an act to amend an act incorporating the town of Mayfield.

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Silvertooth, from the same committee, reported a bill for the benefit of Harriet Lewis, a woman of color.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

The question was then taken on ordering said bill to be engressed and read a third time, and it was decided in the negative.

So the said bill was rejected.

Mr. Ripley, from the same committee, reported a bill the better to define usury; and after some discussion had thereon, the hour arrived for taking up the orders of the day.

The Senate took up for consideration a bill regulating the time of holding the Circuit Courts.

Said bill was amended.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate resumed the consideration of a bill relating to the late Keeper of the Penitentiary.

Said bill reads as follows, viz:

Whereas, It is represented to the General Assembly that the amount appropriated by the Legislature for building the walls of the enlargement of the penitentiary was not sufficient to pay the reasonable cost thereof, and that the Keeper of the penitentiary was necessarily compelled to erect said walls notwithstanding the loss arising therefrom: and whereas, it also appears, that owing to a fire which occurred in said penitentiary during the first year of said Craig being keeper, and by which the workshop, tools, implements, stock and manufactured articles were, in a great measure, consumed; the whole profits of the penitentiary for the two first years of said Craig being keeper only amounted to \$8,059 93, which sum the said Craig was by law compelled to pay for said two years to the State, as the State's share of the profits, whereby said Craig sustained a great loss, besides receiving no compensation for his services during those two years. For remedy whereof.

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Commissioners of the Sinking Fund, in their settlement with said Craig, only charge him with two-thirds of the profits of the penitentiary for the two first years of his being keeper as aforesaid, instead of the sum of ten thousand dollars; and also, in their said settlement, allow to the penitentiary a credit for the fair and reasonable cost of building said walls, not exceeding \$3 00 per perch of twenty-four cubic feet.

Mr. Hogan withdrew his motion to lay said bill on the table.

And after some discussion thereon, Mr. Hogan moved to lay said bill on the table.

And it was decided in the negative.

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The yeas and nays being required thereon by Messrs. Hogan and McFarland, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain, Overton P. Hogan, John S. McFarland, Jesse W. Burton, William Howell, Robert C. Palmer, Nathaniel W. Collins, John Q. A. King, C. J. Walton—11.

T. W. W. DeCourcey, Daniel Matthewson,

Those who voted in the negative, were—

John S. Barlow,
James D. Hardin,
James F. Buckner,
William C. Bullock,
John A. Cavan,

James D. Hardin,
Sylvester Harris,
Wiley S. Hay,
James D. Headley,
James Sudduth,

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William L. Conklin, Samuel Howard, W. H. Wadsworth, George T. Edwards, David Irvine, D. K. Weis, William C. Gillis, Theodore Kohlhass, Tucker Woodson—21.

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Ordered, That said bill be referred to the committee on Finance.

Koeser of the Preinchiam, were been in the

And then the Senate adjourned.

TUESDAY, FEBRUARY 19, 1856.

We seem It is represented to the General Assembly that that the seems we will be the local state of the contents.

A message was received from the House of Representatives announcing their disagreement to a bill which originated in the Senate, entitled, an act to create a chancellor in the 1st judicial district.

That they had passed bills of the following titles, viz:

An act to change the time of holding the quarterly courts in the counties of Barren and Monroe.

An act to amend and change an act to incorporate the Grccnville Female College, approved Feb. 11, 1854.

An act directing the boundary line between Butler and Ohio counties to be run and remarked.

An act to incorporate the Bardstown and Cedar Creek Turupike Road Company.

An act to reduce into one the several acts relating to the town of Taylorsville.

An act to incorporate the Bloomfield and Taylorsville Turupike Road Company.

An act to revive and modify an act, entitled, an act to incorporate the Barren River Navigation and Manufacturing Company.

An act for the benefit of J. W. Henderson, of Barren county.

An act to theorporate the Cooke Coal and Iron Mining and Manufacturing Company.

An act to improve the road from Cumberland River to Monticello.

An act for the benefit of William M. Worsham, late Sheriff of Wayne county.

Mr. Silvertooth presented the petition of F. C. Skelborn, asking the passage of an act granting him further time to complete his mill on Wilson's Creek, in the county of Monroe.

Which was received, the reading dispensed with, and referred to the committee on the Judiciary. The Senate resumed the unfinished report of yesterday from the committee on the Judiciary, a bill the better to define usury.

Mr. Sudduth moved to amend said bill.

Ordered, That the Public Printer print 150 copies of said bill and amendment, and that it be made the special order of the day for Thursday, 21st inst., at half past ten o'clock, A. M.

Mr. Harris, from a select committee, reported a bill to incorporate the Board of Managers of the Kentucky House of Refuge.

Which was read the first time, and ordered to be read a second ime.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That the Public Printer print 150 copies of said bill, and that it be placed in the orders of the day.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Bullock, from the committee on the Judiciary—A bill to amend the charter of the Mobile and Ohio Railroad Company, approved February 26th, 1848, and the charter of the New Orleans and Ohio Railroad Company, approved January 9, 1852.

By Mr. Buckner, from the same committee—A bill to incorporate the Crittenden Male and Female Academy.

By Mr. Hogan, from a select committee—A bill for the benefit of the Circuit Court Clerk of Harrison county.

Which were read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bills being dispensed, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid,

Mr. Buckner, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled, an act to amend and reduce into one all the acts concerning the town of Bowlinggreen, reported the same without amendment.

Mr. Wadsworth moved to amend said bill by striking out 16th section.

Ordered, That said bill and proposed amendment be placed in the orders of the day.

The Speaker laid before the Senate, the response of the Register of the Land Office to a resolution of the Senate in relation to Wolf Island.

Which was referred to the committee on Federal Relations.

Mr. Irvine, from the committee on Enrollments, reported that the

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committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to transfer the title of certain lands to the trustees of the

Bethel High School, at Russellville.

An act for the benefit of Edmund M. Chestnut, of Laurel county. And enrolled bills and resolution which originated in the Senate of the following titles, viz:

An act for the benefit of the Methodist Episcopal Church South,

in the town of New Castle.

An act for the benefit of G. W. McConnell, late sheriff of Woodford county. This are brone and of as goldered is sold allege of

An act to incorporate the Winchester and Red River Iron Works

Turnpike Road Company.

An act to increase the pay of the members of the Legislature.

An act for the benefit of James B. Wilder, guardian of Marinda B. Wilder.

An act, entitled, an act to amend the charter of Perryville Seminary. An act declaring the South Kentuckian an authorized newspaper.

An act to prevent the destruction of fish in Little river.

An act to incorporate the Mechanics' Fire Company, No. 1, of Jersey City and Paducah, Kentucky.

An act to incorporate the Relief Fire Company, No. 2, of Padu-

cah, Kentucky. An act to incorporate the town of Ashland.

An act to incorporate the Bank of Harrodsburg.

An act to renew the charter of the Mechanics' Bank of Louisville. Resolution directing the printing of the Common School Laws in pamphlet form.

And had found the same truly enrolled.

The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Irvine reported that the committee had per-

formed that duty.

The Senate took up for consideration a bill for the benefit of Shelby

Which reads as follows, viz:

WHEREAS, By an act entitled an act, for the benefit of Shelby College, approved, February 16th, 1837, a license or privilege was granted to certain persons, named in the said act, to raise by lottery in manner therein mentioned, any sum not exceeding \$100,000, to be appropriated for the use and benefit of Shelby College.

And, whereas, it was by the Revised Statutes, chapter 28. article 21,

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section 6, enacted that three years after that chapter should take effect all rights and privileges which might have been granted by the Legislature of this Commonwealth, to raise money by lottery for any purpose, should cease and be determined.

And, whereas, it is represented to the present General Assembly that the Reverend Dr. William I. Waller, the President of the said College, has by, and with the concurrence of the Trustees of the same, advanced large sums of money to the said College on the security of

the said grant, which still remain due and unpaid.

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall and may be lawful for J. M. Bullock, T. O. Shackelford, J. L. O'Niel and Richard Niel, or a majority of such of them as may think proper to act, or their successors, to raise by a lottery or lotteries, and the sale of tickets therein, or by a sale and disposition as hereinafter mentioned, of the grant hereby made, at any time or times before the first day of Masch, 1866, any sum not exceeding \$80,000, to be appropriated for the use and benefit of Shelby College. And if any or either of the said managers shall die, refuse to serve, resign, or become unable further to act, the remainder of said managers shall have power to select another person or persons, from time to time, to fill the vacancy or vacancies so occuring; such vacancies to be filled by said managers, with the names of such person or persons as shall be suggested by resolution of the trustees of said College, and not otherwise, Provided, That the said managers, or such of them as may think proper to act, shall, before they enter upon the duties assigned them by this act, execute a bond to the Commonwealth of Kentucky, in the manner provided by the said first mentioned act; and such managers shall, in all respects, have the powers, and be subject to the same provisions contained in the said act, and of the acts amendatory thereof, as if the same were specifically set forth herein, so far as the same may be consistent with this act. Provided, also, that the grant hereby made shall cease and be determined so soon as the sum of \$80,000, shall have been actually received by the said managers by the means aforesaid, and at all events shall not continue and be in force after the first day of March, 1866.

§ 2. Be it further enacted, That the power of sale given in the said act shall be enlarged, so that the said managers, or a majority of such of them as may act, for the time being, shall be authorized to sell, dispose of, and assign the grant hereby made, and all the benefit and advantage thereof, upon such terms as they may deem advisable, for a consideration payable by installments or otherwise, to any person or persons who shall give satisfactory security to such managers for the payment of the consideration, at the times and in the manner agreed upon, and also give a bond or bonds to the Commonwealth of Kentucky with good security to the satisfaction of such managers, conditioned for the payment of all prizes which may become due agreeably to the schemes published by such contractor or contractors, his or their assigns, within sixty days after the drawing of the same, and for the payment of the salary of the commissioner, and the tax hereinafter mentioned, which bond or bonds shall be received and filed as provided by the said act. And thereupon such purchaser or purchasers, his or

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their assigns shall be entitled to the grant hereby made, and all the benefit and advantage thereof, and shall assume, and be charged with the entire management of the said lotteries, and the preparation and settlement of allor any schemes thereof-shall pay all expenses, costs and charges attending the same-sustain all risks, and losses, and pay all prizes drawn, after deducting an amount not exceeding fifteen per cent. thereon, and the said managers shall be discharged from all liability, on account, or in respect of the said lotteries. And it shall be stated on the tickets in the said lotteries that the contractor or contractors, and his or their sureties alone will be liable for the payment of the prizes, and the said managers shall appropriate the proceeds of such sale or sales, as, and when the same may be received, to the payment of the ascertained indebtedness of the said College, to the said Dr. William

I. Waller, as aforesaid.

§ 3. And be it further enacted, That the Governor of this Commonwealth, for the time being, shall be, and he is hereby empowered to appoint a commissioner, whose duty it shall be from time to time, to superintend the said lotteries and attend the drawings thereof, either in person, or by deputy, in the city of Louisville, or else where, in this State, as may be determined by the managers or their assigns. And the Governor shall have power to remove such commissioner, and appoint his successor from time to time to fill any vacancy in the commission whenever it may happen. Such commissioner shall be paid by the managers or their assigns, the sum of \$2,400 per annum for each and every year in which he may be engaged in the performance of the duties assigned to him by this act. And until such commissioner shall be appointed, or if a vacancy shall happen in the said commission, then, until the same shall be filled up, the duties of the said commissioner shall be performed by the said managers, or by a majority of such of them as may act, or by the purchaser or purchasers from them, his or their assigns.

§ 4. And be it further enacted, That the said managers or their assigns shall every year make a return under oath to the Governor of this commonwealth for the time being, of the number and scheme price of all the tickets in the said lotteries, (if any) which may have been sold in this State, during the preceding year, and such managers or their assigns shall pay to the commonwealth of Kentucky a tax of one

per cent. on the full amount thereof in lieu of all other taxes.

§ 5. And be it further enacted, That the trustees of said Shelby College shall report to said managers the amount of the indebtedness of said institution; and said managers shall, in accordance with said report, pay off said liabilities; and should there be a surplus remaining after the payment of the debts of said College, the same shall be paid over by said managers to the trustees for the time being of said Shelby College; and said trustees shall invest the same in good and solvent State stocks or bonds, and appropriate the interest arising thereon, first to the payment of the taxes, insurance and repairs of said college property, and the residue of said interest upon said investment, if any, shall by them be applied to the payment of the salaries of the professors of said institution, if necessary, or expended in the further improvement of said college property or re-invested as the principal fund is herein

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directed to be invested, as said trustees, in their discretion may deem proper and best for the interest of said institution.

Provided, That this act shall in no wise be construed to impair the grant heretofore extended to Paducah, but said grant shall be in full force and effect, in as full and ample a manner as though no act had been passed subsequent to the original grant.

The question was then taken on re-considering the votes by which the third reading of said bill was dispensed with, and the ordering said bill to be read a third time, and it was decided in the affirmative.

Mr. Bullock moved an amendment as a substitute for said bill.

On motion of Mr. Bullock, said amendment was amended, and reads as follows:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That an act, entitled, an act for the benefit of Shelby College, approved the 16th of February, 1837, and all acts amendatory thereof shall be and the same are hereby re-enacted for the benefit, and in favor of said college, except so far as the provisions thereof may conflict with any of the provisions of this act; and all laws conflicting with the same so far as they effect said acts, are hereby repealed.

§ 2. Be it further enacted, That J. M. Bullock, T. O. Shackelford, J. L. O'Neill, and Richard Neel are hereby appointed managers under this law and the laws re-enacted hereby, and they or those of them that act, and the survivors of them, shall have full power and authority to sell the grant given by the act aforesaid, on such terms and conditions as they may agree upon, and said managers, or their successors shall be charged with the duty and have the power of applying the proceeds of the sale of said grant to the payment of the debts of said college, and the surviving managers shall have power to fill any vacancies occurring in their board by death, resignation or refusal to act on the part of any.

§ 3. Be it further enacted, That the Governor of this commonwealth for the time being, shall be and he is hereby empowered to appoint a commissioner, whose duty it shall be, from time to time, to superintend the lotteries authorized by said acts, and attend the drawings thereof, either in person or by deputy, in the city of Louisville, or elsewhere in this State as may be determined by the party or parties purchasing said grant. And the Governor shall have power to remove such commissioner and appoint his successor, from time to time, to fill any vacancy in the commission whenever it may happen. Said commissioner shall be paid by the purchaser or purchasers of said grant, or their asassigns, the sum of \$2,400 per annum, for each and every year iu which he may be engaged in the performance of the duties assigned to him by this act. And until such commissioner shall be appointed, or if a vacancy shall happen in the said commission, then until the same shall be filled up, the duties of said commission shall be performed by the purchaser or purchasers of said grant or their assigns.

§ 4. And be it further enacted, That the said purchaser or purchasers or their assigns, shall every year make a return under oath to the Governor of this commonwealth for the time being, of the number and scheme, price of all the tickets in the said lotteries, (if any,) which may

have been sold in this State during the preceding year, and such purchaser or purchasers or their assigns shall pay to the commonwealth of Kentucky, a tax of one per cent. on the full amount thereof in lieu of all other taxes.

Mr. Woodson moved to amend the amendment, by substituting in lieu thereof the following:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That an act for the benefit of Shelby College, approved February 16, 1837, is hereby declared in full force, and all laws repealing or affecting the same are hereby repealed, so far as they affect said act; and James M. Bullock, T. O. Shackleford, J. L. O'Neill and Richard Neel be, and they are hereby appointed Commissioners to carry out all the provisions of the original grant establishing said lottery, and in case of death, resignation or refusal to act, the Trustees of the town of Shelby-ville shall have power to fill such vacancy. The Trustees may invest or appropriate any moneys derived from the lottery heretofore granted by said acts, in such manner as they may deem beneficial to said College.

And the question being taken thereon it was decided in the nega-

The yeas and nays being required thereon, by Messrs. Wadsworth and Walton, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain, Overton P. Hogan, D. Howard Smith,

James F. Buckner, John Q. A. King, W. H. Wadsworth,

Jesse W. Bnrton, Daniel Matthewson,

Nathaniel W. Collins,

William L. Conklin,

George W. Silvertooth, Tucker Woodson—16.

Those who voted in the negative, were-

Carles H. Allen, James D. Hardin,
John S. Barlow, Sylvester Harris,
William C. Bullock,
John A. Cavan, James D. Headley,
T. W. W. DeCourcey,
William C. Gilliss,

James D. Hardin,
John S. McFarland,
Robert C. Palmer,
Shelby Stone,
James Sudduth—16.

The question was then taken on the adoption of the amendment proposed by Mr. Bullock, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Woodson and Walton, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen,
John S. Barlow,
James F. Buckner,
William C. Bullock,
Jesse W. Burton,
John A. Cavan,
John C. Gilliss,
Charles H. John S. McFarland,
Robert C. Palmer,
Charles Ripley,
Charles H. Allen,
William C. Gilliss,
Charles Ripley,
Charles Ripley,
Charles Ripley,
D. Howard Smith,
Shelby Stone,
James Sudduth,

Nathaniel W. Collins, Samuel Howard, William L. Conklin, David Irvine.
T. W. W. DeCourcey, John Q. A. King,

Those who voted in the negative, were-

Robert Blain, Daniel Matthewson, W. H. Wadsworth, Overton P. Hogan, George W. Silvertooth, C. J. Walton—6.

Ordered, That said bill as amended be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Walton and Hogan, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen,
John S. Barlow,
William C. Bullock,
Jesse W. Burton,
John A. Cavan,
Nathaniel W. Collins,

V. W. W. DeCourcey,
William C. Gilliss,
James D. Hardin,
Sylvester Harris,
James D. Headley,
Shelby Stone,
James Sudduth—18.

Those who voted in the negative, were-

Robert Blain, John Q. A. King, W. H. Wadsworth, James F. Buckner, Daniel Matthewson, C. J. Walton, William L. Conklin, Charles Ripley, D. K. Weis, George W. Silvertooth, Tucker Woodson—12.

Resolved, That the title of said bill be as aforesaid.

Mr. King read and laid on the table the following resolution, viz.

Resolved, That from the report of the Clerk of the House of Representatives to the Senate, this morning, as to the action of the House, upon a bill, entitled, an act to create a Chancellor in the first Judicial district, it is the opinion of the Senate that said bill has passed by a constitutional vote of both Houses; and as it originated in the Senate, the Clerk of the Senate is directed to enroll said bill, preparatory to being signed by the Speakers of both Houses, and deliver the same to the committee on Enrollments.

Mr. Harris moved the following resolution, viz:

Resolved, That the committee on the Library be instructed to take into consideration the propriety of purchasing the full length portrait of Hon. Henry Clay, deceased, now on exhibition in the Senate Chamber, and report the result of their deliberations at three o'clock on Saturday next.

Which was adopted.

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Mr. Walton moved the following resolution, viz:

Resolved, That a committee of three be appointed by the present occupant of the chair, to enquire into the amount of business now be-

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fore the standing committees, and that they be required to report to the Senate as early as convenient.

Which was adopted.

Whereupon Messrs. Walton, Smith and Bullock were appointed said committee.

On motion of Mr. Blain, leave was given to bring in a bill for the benefit of the Nashville Coal Company.

Ordered, That the committee on Agriculture and Manufactures prepare and bring in the same.

And then the Senate adjourned.

WEDNESDAY, FEBRUARY 20, 1856.

A message was received from the House of Representatives, announcing that they had concurred in the amendment of the Senate to a bill from that House, entitled, an act to provide against the demoralization of slaves, with an amendment thereto.

That they had disagreed to bills from the Senate of the following titles, viz:

An act to incorporate the Deposit Bank of Cynthiana, Harrison county.

An act to establish the Planters' Bank of Kentucky.

That they had passed bills and adopted resolutions of the following titles, viz:

An act to repeal so much of an act, entitled, an act concerning the Auditor's office and Treasurer's office as relates to the Treasurer's office.

An act to amend the charter of the Covington and Cincinnati Bridge Company.

Resolutions in relation to the alledged claims of the United States to Wolf Island.

Preamble and resolution in relation to the bill in favor of the soldiers of the revolutionary war, introduced into the Senate of the United States by Senator Evans of South Carolina.

Resolution to extend the present session of the General Assembly.

On motion of Mr. Hay, leave was given to bring in a bill to incorporate the Ohio River Improvement Company.

Ordered, That the committee on Internal Improvement prepare and and bring in the same.

The following bills were reported from the committee on the Judiciary, viz:

By Mr. Buckner—1. A bill to incorporate the Grand Division of South Kentucky Sons of Temperance.

By same—2. A bill to amend and reduce into one the several acts relating to the town of Russellville.

By same—3. A bill to incorporate the Russellville, Elkton, Hopkinsville and Paducah Railroad Company.

By same—4. A bill to amend the act incorporating the Henderson and Nashville Railroad Company, approved March 4, 1850.

By same—5. A bill to repeal section 340 of the Criminal Code and substituting other provisions in lieu thereof.

By Mr. Ripley, from same—6. A bill for the benefit of Alfred Kendall, executor of Henry Woodyard, late Sheriff of Grant county.

Which were read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bills being dispensed, and the same being engressed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid,

A message was received from the House of Representatives, asking leave to withdraw their report announcing their disagreement to a bill from the Senate, entitled, an act to incorporate the Deposit Bank of Cynthiana, Harrison county.

And the question being taken thereon it was decided in the affirmative.

And the said bill was withdrawn.

Mr. Ripley, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled, an act to enlarge the criminal jurisdiction of the City Court of Louisville, reported the same with an expression of opinion that it ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So the said bill was disagreed to.

Mr. Ripley, from the same committee, reported a bill to fix the salary of the Judge of the Louisville City Court.

Which was read the first time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Ken-

tucky, That the Judge of the City Court of Louisville shall receive an annual salary of two thousand dollars per annum, payable out of the treasury of this commonwealth quarterly, and in consideration of the fines and forfeitures recovered in favor of the commonwealth in said court, granted to the city of Louisville, it shall be the duty of said city, on the first day of December next, and on the first day of December in each succeeding year, to pay into the treasury of this commonwealth the like sum of two thousand dollars.

§ 2. This act shall take effect and be in force from its passage, and the salary of said Judge at two thousand dollars shall be computed

from the first day of December last.

Ordered, That said bill be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed with, and the same being engrossed.

The question was taken on the passage of said bill, and it was de-

cided in the affirmative.

The yeas and nays being taken thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, John S. Barlow, Robert Blain, James F. Buckner, William C. Bullock, Jesse W. Burton, John A. Cavan, Nathaniel W. Collins, William L. Conklin, David Irvine, T. W. W. DeCourcey, John Q. A. King, George T. Edwards,

William C. Gillis, William T. Haggin, James D. Hardin, Sylvester Harris, Wiley S. Hay, James D. Headley, Samuel Howard, William Howell,

Theodore Kohlhass, Daniel Matthewson, John S. McFarland, Robert C. Palmer, Charles Ripley, D. Howard Smith, James Sudduth, W. H. Wadsworth, D. K. Weis, Tucker Woodson-31.

Those who voted in the negative, were-

C. J. Walton-2. Overton P. Hogan,

Resorved, That the title of said bill be as aforesaid.

Mr. Ripley, from the same committee, to whom was referred a bill to prevent fraudulent assignments in trust for creditors, and other fraudulent conveyances, reported the same with an amendment as a substitute therefor.

Ordered, That the Public Printer print 150 copies of said amendment, and that said bill and amendment be made the special order of the day for the 22d inst., at half past ten o'clock, A. M.

Mr. Ripley, from the same committee, reported a bill to authorize creditors to receive usury paid by their debtors.

Which was read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That when any person shall have paid a greater rate of interest than is allowed by law for the loan or forbearance of money, his right to ree

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cover the usury so paid shall be deemed a chosei in action, and any creditor of said person may subject the same to the payment of his debt in the same manner and to the same extent as other choses in action.

Ordered, That said bill be read a second time.

Mr. Cavan moved the following amendment to said bill:

"If the party entitled to recover usury shall have sued to recover it."

Mr. Hardin moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Hardin and Walton, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, John S. Barlow, Robert Blain, Jesse W. Burton, Nathaniel W. Collins, Samuel Howard, Shelby Stone, William L. Conklin, T. W. W. DeCourcey, David Irvine, James D. Hardin,

Sylvester Harris, Wiley S. Hay, Overton P. Hogan, D. Howard Smith, William Howell,

John Q. A. King, Daniel Matthewson, James D. Headley, John S. McFarland, C. J. Walton, D. K. Weis-22.

Those who voted in the negative, were-

James F. Buckner. William C. Bullock, John A. Cavan, George T. Edwards,

William C. Gillis, Theodore Kohlhass, Robert C. Palmer, Charles Ripley,

James Sudduth, W. H. Wadsworth, Tucker Woodson-11.

Mr. Woodson moved a re-consideration of the vote by which a bill to amend and reduce into one the several acts relating to the town of Russellville passed to-day.

And the question being taken thereon, it was decided in the affirma-

The votes dispensing with and ordering said bill to be read a third time were then re-considered.

Ordered, That said bill be referred to the committee on Revised Statutes.

On motion Mr. Walton, a message was sent to the House of Representatives, asking leave to withdraw the report of the disagreement of the Senate to a bill from the House, entitled, an act for the benefit of Joseph Yeager.

After a short time the messenger returned with the said bill.

Mr. Bullock moved a re-consideration of the vote by which the Senate, on the 18th inst., disagreed to said bill.

Ordered, That the consideration of said motion be postponed until the 23d inst., quarter past ten o'clock, A. M.

On motion of Mr. King, leave was given him to withdraw the resolution offerred by himself on yesterday.

Mr. Burton moved a re-consideration of the vote by which the Senate on yesterday passed a bill for the benefit of Shelby College.

Mr. Smith moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirma-

The yeas and nays being required thereon, by Messrs. Wadsworth and Hardin, were as follows, viz:

Those who voted in the affirmative, were-

John S. McFarland, George T. Edwards, Charles H. Allen, William C. Gilliss, Robert C. Palmer, John S. Barlow, George W. Silvertooth, James D. Hardin, Robert Blain. D. Howard Smith, Sylvester Harris, William C. Bullock, Shelby Stone, John A. Cavan, Wiley S. Hay, Nathaniel W. Collins, James D. Headley, James Sudduth, William L. Conklin, Samuel Howard, D. K. Weis-23. T. W. W. DeCourcey, David Irvine,

Those who voted in the negative, were-

James F. Buckner, Jesse W. Burton, Overton P. Hogan, John Q. A. King, Theodore Kohlhass, Daniel Matthewson, Charles Ripley, W. H. Wadsworth, C. J. Walton, Tucker Woodson—10.

The Senate took up for consideration a bill to incorporate the Bank of Milton.

Said bill was amended and reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That there shall be, and is hereby created and established, in the county of Trimble, a bank, by the name and style of the "Bank of Milton," which shall continue in existence from the taking effect of this act until the first day of May, in the year of our Lord one thousand eight hundred and eighty-five.

§ 2. That the capital stock of said bank shall be five hundred thousand dollars, divided into shares of one hundred dollars each; but so soon as one hundred thousand dollars of said capital stock shall be subscribed, and fifty thousand dollars in gold and silver paid in, as hereinafter specified, it shall be lawful for said bank to commence

operations.

§ 3. That Lindsay Cooper, Daniel Braning, John M. Trout and Jas. Young, or any two of them, be and they are hereby appointed Commissioners to open books of subscription to the capital stock of said bank. Said books shall be opened in the town of Milton, at such times as said commissioners may designate, of which at least three weeks notice shall be given in some newspaper printed in said county, or if none shall be there published, then in some newspaper printed in the city of Louisville.

§ 4. It shall be lawful for any individual, company, or body corporate,

to subscribe for any number of the shares of said capital stock; and such individual, company, or corporation, at the time of making such subscription, shall pay to said commissioners, for the use of said bank, the sum of ten dollars on each share of said stock so subscribed.

§ 5. Said commissioners shall keep said books open for the subscription of stock, for the period of one week, unless the whole capital. before that time, shall have been subscribed. At the expiration of said week, if the amount of one hundred thousand dollars of said capital shall not have been subscribed, it shall be lawful for said commissioners to designate one of their own number to take charge of said subscription books, and to attend to receiving additional subscriptions, until the amount of one hundred thousand dollars of said stock, at the least, shall have been taken. If, at the end of three months from the time of opening such books, there shall not have been subscribed to the amount of one hundred thousand dollars of said stock, then immediately after that period it shall be the duty of said commissioners to abandon the subscriptions already made, and to refund to such parties as may have subscribed, the sums paid by them respectively on account of their said subscriptions. So soon, after the expiration of the first week above named, as the amount of one hundred thousand dollars. at the least, of said capital stock shall have been subscribed, it shall be the duty of said commissioners to fix upon a day for the election of directors of said bank, of which three weeks notice, at least, shall be given in some newspaper printed in the county of Trimble, or if none be there printed, then in some newspaper printed in the city of Louisville.

§ 6. Said subscribers and shareholders, their successors and assigns, shall be, and hereby are created, a body politic and corporate, by the name aforesaid, and by that name, under the restrictions hereinafter mentioned, shall be competent to contract and be contracted with, to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in all courts and places and in all matters whatsoever, as natural persons, with full power to acquire, hold, possess, and enjoy, and the same to sell, convey, and dispose of at pleasure, all such real estate, goods, effects, and chattels, as shall be convenient for the transaction of their business, or which may be conveyed to said bank, as security for any loan or debt, or purchase in satisfaction of any judgment or decree in favor of said bank, or in the purchase of any property on which said bank may have a lien. And said bank may have and use a common seal, and change, alter, and renew the same at pleasure; and it may ordain and put in execution such by-laws, rules, and regulations, for the government of said bank. and the prudent and efficient management of its affairs, as may be thought most proper; Provided, That they be not contrary to the constitution and laws of this State or the United States.

§ 7. The business of said bank shall be to loan money, discount promissory notes and bills, and deal in exchanges; and it may issue bills and bank notes, payable to bearer on demand, at either of its offices of discount and deposit, but of not less denomination than five dollars; and it shall not issue any notes, bills, checks, or orders, to circulate as money, other than such as are payable on demand. The

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promissory notes, made payable to any other person or persons, and payable and negotiable at the principal office of discount and deposit, or branches of said bank, or at any other bank, and indorsed to and discounted by said bank, shall be and they are hereby put on the same footing as foreign bills of exchange, and remedy may be had jointly or severally, against the drawers and indorsers, and with like effect, except as to damages, and except, that in a regular course of administration they shall have no other or greater dignity or priority of pay-

ment than other notes.

& 8. The real and personal estate, business, property, funds, and prudential concerns of said bank, and the administration of its affairs. shall be under the direction, management, and control of seven directors, all of whom shall be citizens of the United States, and residents of the State of Kentucky, who, after the first election, shall be chosen annually on the first Monday in May. Each director shall be a stockholder, holding at least ten shares of stock in his own right. They shall hold their offices for one year, and until their successors shall be chosen, except the first directors, who shall hold their offices until the next regular annual election. The election shall be held at Milton. and of the time and place of holding the election at least three weeks previous notice shall be given. The directors shall be chosen by the stockholders, each share of stock being entitled to one vote held in their own right up to fifty, and one vote for every five shares between fifty and one hundred, and one vote for every ten shares above one hundred shares; the election shall be by ballot, and shall be conducted under the direction of three strockholders, acting under oath, previously chosen or appointed by the directors, and who shall not be of their own body. After the first election, no share shall entitle the holder to vote, unless the same has been held by him at least three months prior to that time, and so appears on the books of the bank. Any stockholder entitled to vote may do so in person or by proxy-such proxy being granted to a person who is not a director or officer in said bank. If from any cause an election shall not take place on the day fixed by this charter, the corporation for that cause shall not be dissolved, but the stockholders may hold an election on any other day the by-laws shall direct. The stockholders, at annual election, may, by a vote representing a majority of said stock, increase or diminish the number of directors so as, however, that there shall never be more than eleven nor less than five.

§ 9. The directors shall, as soon as may be after the first, and every annual or other election of directors, elect a president from their own body, who shall preside at the board until the next election; but in case of the death, absence, or resignation or vacation of the office of presidient, the residue of directors shall choose a president pro tempore. They shall fill all vacancies which may occur in their own body during the time for which they were chosen. They shall appoint a cashier and such other clerks and agents as they may deem proper, fix their compensation, define their powers, and prescribe their duties, and may require of them such bonds, and in such penalties, and with such securities, as they may deem right, for the faithful performance of their re-

spective duties; and alll such officers and employees shall hold their

places during the pleasure of said board.

§ 10. The directors shall hold stated meetings at least once a week, on such days and such hours as they may from time to time appoint, and at such other times as they may agree on. All questions before the board shall be decided viva voce, and, on the request of any member, the yeas and nays on any proposition or question shall be entered or recorded on the journal of their proceedings; and no vote shall be reconsidered when a less number are present than when the vote was given. The president may, whenever he deems it necessary, call a special meeting of said board, in which case each director, unless absent from home, shall have a special notice.

§ 11. The directors shall allow the president such reasonable compensation for his services as they may, from time to time, deem just; but no compensation shall be allowed to any director, for services as such, unless the same be voted by the stockholders at some regular

meeting.

§ 12. A journal of the proceedings of said board shall be regularly kept, which shall at all times be open to the inspection of any of the stockholders, and of any committee appointed by the Legislature; and the Legislature shall have the right, from time to time, to investigate the situation and affairs of said bank, by any committee they may think proper to appoint for that purpose.

§ 13. All notes issued by said bank shall be signed by the president and countersigned by the cashier thereof, except that notes of a less denomination than five dollars may be signed by the cashier or president, or either of them, without being countersigned by the other.

§ 14. Said bank shall not at any time suspend or refuse payment in gold or silver of any of its notes, bills, or obligations, due or payable. nor of any money received on deposit; and if said bank at any time shall refuse or neglect to pay any bill, note, or obligation, issued by such bank, in gold or silver, when demanded within the usual hours and at the proper place where the same is payable, according to the contract, promise, or undertaking therein expressed, or shall neglect or refuse to pay on demand, as aforesaid, any money received on deposit, to the person or persons entitled to receive the same, then, and in every such case, such bank shall be liable to pay damages at the rate of six per cent. per annum, beside interest at a like rate, on the amount thereof, from the time of such failure or refusal, or delay, until payment thereof; and for such failure or refusal, or for any violation of this charter, the same may be forfeited, and a scire facias may be sued out in the name of the Commonwealth, by the Attorney General, by order of the Governor for the time being, and such proceedings may be had as to declare such forfeiture by the judgment of a court; and from and after the judgment of forfeiture, said corporation shall cease to exercise any of the powers and privileges hereby granted: Provided, Said forfeiture shall not be construed to prevent said bank from suing and being sued, and continuing its operations for the purpose of closing its concerns, nor from making any contract that may be convenient and proper for that purpose.

§ 15. Said bank shall not directly or indirectly engage in any other

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business than banking, as herein authorized to be done; nor shall said bank at any time owe, whether by bond, bill, note, or other contract, an amount exceeding twice the amount of the capital stock actually paid in, exclusive of sums due on deposits; and in case of excess, the president and directors, under whose administration it shall have taken place, shall be liable for any or all of the debts of said bank, in their individual capacities, by a joint or several action of debt againt them, or any of them, their heirs, executors, or administrators, in any court having jurisdiction thereof, by any creditor or creditors of said bank, and may be prosecuted to judgment and execution, any condition or agreement to the contrary notwithstanding: Provided, That if the president or any of the directors may be absent when the excess shall be contracted or created, or being present, shall dissent from the act by which the excess is about to be contracted or created, he or they shall not be liable, under this section, if he or they shall, within ten days from the creation of such excess or discovery thereof, make affidavit of their absence or dissent, and file the same for record with the recording officer of said county, and shall, moreover, within ten days, give notice thereof in one of the public newspapers printed in this State, and transmit a copy thereof to the Governor for the time being, and shall in said notice call a meeting of the shareholders, which they are hereby authorized to do.

§ 16. A majority of the directors shall at all times constitute a

quorum for the transaction of business.

§ 17. No dividends of the profits of said bank shall be declared until there shall be a surplus of ten thousand dollars, on every one hundred thousand dollars of capital paid in, over and above the amount of capital so paid; and the surplus or contingent fund so raised shall never be reduced below that sum. It shall be lawful for said bank to declare such dividend of the profits, over and above the contingent fund as aforesaid, among the stockholders thereof, as they may deem prudent and advisable, payable on the first days of January and July of each year, of which dividends, and the time and place of payment, notice shall be given.

§ 18. If the cashier, clerk, teller, agent, or any other officer of said bank, shall, without the authority of the directors of said bank, appropriate any of the funds of said corporation to his own use, or to that of any other person, or shall knowingly or wilfully fail to make correct entries on the books of said bank, with the intent to cheat or defraud said corporation, or any other person, to hide or conceal any improper appropriations of the funds of said corporation, said person or officer so offending shall be deemed guilty of felony, and shall, upon conviction thereof, be sentenced to confinement in the jail and penitentiary of this State for a period of not less than five nor more than twenty

§ 19. It shall be the duty of the president and directors of the bank, during the first week of every regular session of the Legislature, to transmit to the Secretary of State an accurate and just statement of the condition of the bank, as it existed on the first day of the preceding month, which statement shall specify the amount of the capital stock actually paid in, and the amount not paid in, and the value of the

real estate belonging to the bank, and its cost, the total amount of the debts due to and from the bank, the amount of gold and silver and other coined metal and bullion on hand, the amount deposited, the amount of bills in circulation, and the amount of bills on hand of other incorporated banks, the amount of notes in circulation of each denomination issued by the bank, the rate and amount of each dividend of profits made by the bank, with the amount of the surplus profits or the contingent fund, which statement the Governor of the commonwealth shall cause to be laid before the Legislature, and they shall, when required by the Legislature, report all bad and doubtful debts.

§ 20. The president, cashier, directors, clerks and tellers, and other officers of the bank, previous to entering upon the discharge of their duties, shall take an oath before some justice of the peace of this State, faithfully, honestly and impartially, and to the best of their skill and judgment, to discharge all the duties of their respective offices and stations, under this charter, or which may be required of them by the by-laws,

rules and regulations of the corporation.

§ 21. Said bank shall not contract for or receive a greater rate of interest, than at the rate of six per centum per annum, for the loan or forbearance of money, and interest on promissory notes, negotiable and payable at said bank, and their discount, shall be calculated upon the true time such notes have to run, including three days of grace, and shall be paid in advance, and on banking principles, in conformity with Rowlett's tables of discount and interest.

§ 22. That certificates of stock shall be issued to the proper party entitled thereto; and the shares of the capital stock of said bank shall be considered and held in law as personal property, assignable and transferable only in such manner and at such place or places as said directors shall, by their by-laws, provide; and said bank shall have and retain a lien on any unassigned stock against the holder thereof, for any sum or balance that may be owing by such holder to said bank.

§ 23. The certificates of deposit, bank bills or notes, bills of exchange or orders, issued by said bank, shall be signed by the president and countersigned by the cashier, promising or requesting the payment of money to any person or persons, and to order or bearer, as the case may be, and be obligatory on said bank, although not under it seal; and such of said notes or bills as shall be payable to order, shall be transferred by assignment, and those made payable to bearer, by de-

livery.

§ 24. That the annual meeting of said stockholders shall be held at Milton, on the first Monday in May in each year, at the time of the annual elections, to which meeting the president and directors of the bank shall present an accurate statement of the condition and affairs of the bank; and a general meeting of the stockholders may be called, as provided in this charter, or by the president and directors of the bank, when they esteem it desirable, or by any number of the stockholders the by-laws of the corporation shall require.

§ 25. The Franklin Circuit Court shall have jurisdiction to try the forfeiture of this charter, for the violation of any of the provisions of the same. The proceeding shall be by scire facias, alleging and specifying the acts of forfeiture relied on, and shall be only sued out at the

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instance of the attorney general, when directed to do so by order of

§ 26. If the whole of the capital stock shall not be subscribed for, when the books of subscription shall be opened by the commissioners as hereinbefore provided, it shall be lawful for the directors of said bank, after the bank shall have gone into operation, from time to time, to sell and dispose of any balance of stock that may remain, until the whole balance shall be disposed of: *Provided*, however, That the same shall not be sold at less than the par value of said stock.

§ 27. The payment of the shares of the capital stock shall be in gold and silver, at the times and in the manner following, to-wit: Ten dollars on each share to the commissioners, at the time of subscribing as herein before provided; and ten dollars on each share within ten days after the election of the first board of directors; and the residue shall be paid in such installments as the bank shall require, except that the first board of directors shall make such call on the amount of stock subscribed as shall produce the aggregate sum of fifty thousand dollars, at the least; and after that not more than twenty dollars shall be called for, at any one time, on each share, nor shall the time between the calls be less than ninety days.

§ 28. Should any of the subscribers to the capital stock of said bank fail or refuse to pay for their stock, as herein provided, the president and directors, first giving public notice, in at least two public authorized newspapers in this State, for the space of thirty days, by a resolution entered on the records, may forfeit such stock, and proceed at such time as they may deem expedient, to re-sell the same; and all partial payments made on any stock which shall be forfeited, shall be held for the benefit of the bank.

§ 29. So soon as one hundred thousand dollars of said capital stock shall have been subscribed for, and fifty thousand dollars have been paid in by said subscribers, in gold and silver, the president and directors shall cause the Governor of this commonwealth to be notified thereof, who is hereby authorized to appoint some suitable person to count the money so paid in as capital stock, and to take the oath of the president and not less than three of the directors, that the same has been paid in as stock bona fide, and make due return thereof to him; and on such appearing to be the fact, the Governor is authorized to issue his proclamation that the amount hereby required to be paid in, and in the funds required, has been done, and the said bank is authorized to commence operations as a banking institution; and from and after the first proclamation it shall be lawful for said bank to commence business.

§ 30. It shall not be lawful for the president or any of the directors of said bank to become bound as security or accommodation indorser on any note or bill discounted in said bank, and a violation of this provision shall subject the person violating the same to a penalty of one thousand dollars, to be recovered by action of debt, in the name of the corporation, and for their use and benefit.

§ 31. In consideration of the franchises herein granted, it shall be the duty of said bank, on the first day of July of each year, during the continuance of this charter, to pay to the auditor of public accounts

50 cents on each one hundred dollars of stock held and paid for in said bank, which shall be in full of all tax or other bonus or assessment: Provided, That no tax shall be paid until said bank shall go into operation, and that the amount of tax so paid shall be paid into the common school fund, and forever be held inviolable for school purposes.

§ 32. Said bank shall not at any one time, use more than 331 per cent. of its capital stock actually paid in, in dealing in bills of exchange, nor shall said bank deal in "kites," nor charge more than one-eighth of one per cent. on bills drawn by them payable in this State, nor more than one per cent. out of this State. A violation of this section shall

be good ground for the forfeiture of this charter.

§ 33. In case of a forfeiture of this charter, as herein before provided in order to pay the debts of said bank, each stockholder shall pay to the creditors of the same an amount equal to the amount of stock subscribed by them respectively, if necessary, and for the recovery of which suit may be instituted therefor in any court of competent jurisdiction.

Mr. Wadsworth moved to amend the 32d section of said bill by adding thereto the following:

Provided, That in all cases when, in fact, there is no difference in the value of money between given points, either in or out of the State, all charges for exchange, or under color of exchange, between such points. shall be deemed usurious.

And the question being taken on the adoption thereof, it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Walton and Hogan, were as follows, viz:

Those who voted in the affirmative, were—

Charles H. Allen, William C. Gilliss, John Q. A. King, Robert Blain, James D. Hardin, Robert C. Palmer, William C. Bullock, Sylvester Harris, Shelby Stone, Nathaniel W. Collins, Samuel Howard, D. K. Weis-13. T. W. W. DeCourcey,

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Those who voted in the negative, were-

John S. Barlow, Overton P. Hogan, Charles Ripley,

James F. Buckner, William Howell, D. Howard Smith, James W. Burton, David Irvine, James Sudduth, James Sudduth, John A. Cavan, Theodore Kohlhass, W. H. Wadsworth, William L. Conklin, Daniel Matthewson, George T. Edwards, John S. McFarland, Tucker Woodson—18.

So the said bill was rejected. missioners anall call a general morning of the substribers, to be held

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The Senate also took up for consideration, a bill to establish the county of McKee.

Ordered, That the consideration of said bill be postponed until to-

morrow, ten o'clock, A. M.

Also a bill to incorporate the Kentucky State Agricultural Society, and to give encouragement to all the arts and sciences connected thereto.

With the motion horetofore made by Mr. Blain, which was to fill the blank in the 11th section of said bill, with the words "five thousand."

Said bill reads as follows, viz:

Whereas, Great improvement in the arts of agriculture has uniformly followed the establishment of agricultural societies throughout the various States of the union: and, whereas, Kentucky has long felt the want of some institution which shall encourage the arts, and diffuse information on the various subjects therewith connected throughout

every section of the State. Therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That an agricultural society is hereby established, to be called the Kentucky State Agricultural Society; the members and subscribers thereof and their successors are hereby created a body politic and corporate, and by the name and style aforesaid shall have all the right and privilege of a natural person in suing and being sued, answering and defending, in all courts of law and equity.

§ 2. That Robert W. Scott, of Franklin, Robert Mallory, of Oldham, Robert Aicheson Alexander, of Woodford, L. J. Bradford, of Bracken, Dr. S. D. Martin, of Clarke, A. J. Anderson, of Henderson, G. E. H. Gray, of Jefferson, J. L. O'Neill, of Shelby, William Bell, of Daviess, and Dr. Joshua H. Thomas, of Breckinridge, the names of presidents of local societies to be here added, are hereby constituted commission-

ers to receive subscriptions and enrol members.

§ 3. That with a view to the organization of said society, the State is hereby divided into the three following agricultural districts: The first to include all the counties lying north of the Kentucky river and its north fork, and in addition thereto the counties of Estill, Owsley, Breathitt and Perry; the second to include the counties lying between the Kentucky river and Green river, up to the mouth of Big Barren, and between the latter and Kentucky river; the third to include the counties of Henderson, McLean, Butler, Warren, and all the counties lying to the south and south-east of Green and Big Barren rivers. And said society shall hold its annual meetings for the exhibition of stock, agricultural implements, manufactures, &c., and for the awarding of premiums in each of the said districts in rotation.

§ 4. That any one may become a member of this society previous to its organization by the payment to commissioners above named the sum of three dollars, which shall be the annual subscription giving membership, or twenty dollars entitling the subscribers to

life-membership.

§ 5. That when two hundred members shall be enrolled, the commissioners shall call a general meeting of the subscribers, to be held

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in Frankfort on the 12th of April, when and where they shall proceed to elect a president and three vice presidents—one from each of the agricultural districts above named—and nine directors—three of whom shall be chosen from each of said districts—and these officers shall serve for one year, or until their successors be chosen.

§ 6. That the president and directors may adopt a seal and change it at pleasure, appoint all agents and officers they may deem proper for their co-operation, fix their remuneration, and take bond and security for the faithful discharge of their duties, and shall have the management of the property, funds, and prudential concerns of said society.

§ 7. That the Governor, Lieutenant Governor, and Secretary of State, and also the presidents of all local agricultural societies, shall (ex-officio) be members of this Society; and that any one may become a member after the organization of the society by paying to the treasurer the sum of three dollars as annual subscription, or twenty dollars, which shall constitute him a life member of the society; but the president and directors shall have the power to strike out from the list of members the name of any person whose conduct shall, in their opinion, forfeit this privilege; and the person whose name shall be thus erased shall cease to belong to this society.

§ 8. That each member, and his family, shall have free admission to the fair grounds of the society; and each member shall also have the right to exhibit any stock, produce, implements, or other articles for which premiums may be offered, and shall be entitled to a copy of the published proceedings, lists of premiums, prize essays, &c., which shall be printed by the society, free of cost.

§ 9. That it shall be the duty of the president and directors to call a general meeting of the members of the society, to be held in Frankfort, on the second Wednesday in January, 1857, and each successive year, for the purpose of transacting such business as may be brought before them, and of electing a president, three vice presidents, and ten directors, who shall manage the affairs of the society till the following annual meeting; and they may call a special meeting of the members of the society at any time and place they may deem proper, four weeks previous notice being given by advertising it in one public journal in each district.

§ 10. That as soon after their election as may be convenient, and later than the first Wednesday in the following June, the president and directors shall fix on a time and place at which they will hold the annual exhibition for the purpose of awarding premiums for stock, agricultural produce, agricultural implements, prize essays, &c., and shall also before the said first Wednesday in June make and publish a list of said premiums.

§ 11. That for the purpose of enabling the society to carry out more successfully the objects and purposes of its organization, it is deemed advisable to make an annual appropriation out of the State Treasury, and the Auditor is hereby authorized and directed, in this and each successive year after the passage of this act, on the receipt of the written order of the president of the society, and countersigned by the Secretary, to issue his warrant on the treasury of the State for the sum

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--- dollars, payable to the Treasurer; and the Treasurer of the State is hereby authorized and directed to pay the same out of any moneys in said treasury not otherwise appropriated, which shall go into the common fund of said society, to be expended, together with its other means, as it shall deem proper, in accomplishing the object of this institution as herein set forth.

§ 12. That the president and directors, any five of whom shall form a quorum for the transaction of business, may, from time to time, make such by-laws, rules, and regulations for their own government, and for the management of the affairs of the society, as they may deem expedient, not contrary to the provisions of this charter, or the by-laws or regulations which the members may from time to time prescribe at

their annual meetings.

§ 13. That it shall be the duty of the president and directors to make a report of the proceedings and condition of the society at each annual meeting of its members held as above stated, and also a report to the Legislature at its biennial session, setting forth in full the manner in which its means have been employed, and the state of its finances.

§ 14. That in case of the death, resignation, or refusal to act of any officer, the board of officers shall have power to fill such vacancy, at a meeting only called for that purpose, who shall act until the next annual

§ 15. This act shall take effect from its passage.

Mr. Blain withdrew his motion.

Mr. Sudduth moved moved to fill the blank in the 11th section with six thousand.

And the question being taken thereon it was decided in the nega-

The yeas and nays being required thereon, by Messrs. Walton and Hogan, were as follows, viz:

Those who voted in the affirmative, were-

Charles Ripley, Sylvester Harris, Robert Blain, D. Howard Smith, Overton P. Hogan, James F. Buckner, James Sudduth, William C. Bullock, David Irvine, D. K. Weis, Theodore Kohlhass, Jesse W. Bnrton, Tucker Woodson-17. John S. McFarland, John A. Cavan, Robert C. Palmer, George T. Edwards,

Those who voted in the negative, were-

Daniel Matthewson, James D. Hardin, Charles H. Allen, George W. Silvertooth, John S. Barlow, Wiley S. Hay, Nathaniel W. Collins, James D. Headley, Shelby Stone, W. H. Wadsworth, William L. Conklin, Samuel Howard, C. J. Walton-17. T. W. W. DeCourcey, William Howell, William C. Gilliss, John Q. A. King,

Mr. DeCourcey moved to strike out the 11th section of said bill. And the question being taken thereon, it was decided in the negat

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The yeas and nays being required thereon, by Messrs. Matthewson and Blain, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, James D. Headley,
Nathaniel W. Collins,
T. W. W. DeCourcey,
William Howell,
William C. Gilliss,
John Q. A. King,
Wiley S. Hay,

James D. Headley,
George W. Silvertooth,
Shelby Stone,
C. J. Walton—13.

Those who voted in the negative, were-

John S. Barlow,
Robert Blain,
James D. Hardin,
James F. Buckner,
William C. Bullock,
Jesse W. Burton,
John A. Cavan,
William L. Conklin,
Weers T. Edwards,
James D. Hardin,
Sylvester Harris,
Overton P. Hogan,
David Irvine,
Theodore Kohlhass,
William L. Conklin,
John S. McFarland,
Robert C. Palmer,
Charles Ripley,
D. Howard Smith,
James Sudduth,
W. H. Wadsworth,
D. K. Weis,
Tucker Woodson—21.

Mr. Smith moved to fill the blank aforesaid with the words five thousand.

Mr. King moved to fill the blank with three thousand.

Pending the consideration of which,

The Senate adjourned.

THURSDAY, FEBRUARY 21, 1856.

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A message was received from the House of Representatives announcing their disagreement to a bill from the Senate, entitled, an act requiring the verification of claims upon the treasury.

That they had passed bills and concurred in a resolution from the Senate of the following titles, viz:

An act to incorporate the Deposit Bank of Cynthiana, Harrison county.

An act in relation to a new road in Lewis and Fleming counties.

An act to incorporate the Paducah Gas Light Company.

An act to amend the act establishing the Boston and Aiken Turnpike Company.

An act to amend an act, entitled, an act to amend and reduce into one the general acts respecting the town of Hickman.

An act for the benefit of the Circuit Court Clerk of Harrison county.

An act to incorporate the Hickman Building and Loan Association. With an amendment to the last named bill.

Resolution in relation to slavery.

That they had passed bills and adopted a resolution of the following titles, viz:

An act to establish Equity and Criminal Courts in the 1st Judicial district.

Resolutions in relation to printing report of the State Geologist.

The Senate, according to order, took up for consideration a bill the better to define usury, with the pending amendment.

Mr. Hogan moved to amend the amendment.

Pending the consideration of which, the hour arrived for taking up

the orders of the day.

The Senate resumed the consideration of a bill to incorporate the Kentucky State Agricultural Society, and to give encouragement to all the arts and sciences connected therewith, with the pending motions to fill the blank in the 11th section.

Said bill was amended and reads as follows, viz:

Whereas, Great improvement in the arts of agriculture has uniformly followed the establishment of agricultural societies throughout the various States of the union: and, whereas, Kentucky has long felt the want of some institution which shall encourage the arts, and diffuse information on the various subjects therewith connected throughout every section of the State. Therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That an agricultural society is hereby established, to be called the Kentucky State Agricultural Society; the members and subscribers thereof and their successors are hereby created a body politic and corporate, and by the name and style aforesaid shall have all the right and privilege of a natural person in suing and being sued, answering

and defending, in all courts of law and equity.

§ 2. That Robert W. Scott, of Franklin, Robert Mallory, of Oldham, Robert Aicheson Alexander, of Woodford, L. J. Bradford, of Bracken, Dr. S. D. Martin, of Clarke, A. J. Anderson, of Henderson, G. E. H. Gray, of Jefferson, J. L. O'Neill, of Shelby, William Bell, of Daviess, and Dr. Joshua H. Thomas, of Breckinridge, the names of presidents of local societies to be here added, are hereby constituted commission-

ers to receive subscriptions and enrol members.

§ 3. That with a view to the organization of said society, the State is hereby divided into the three following agricultural districts: The first to include all the counties lying north of the Kentucky river and its north fork, and in addition thereto the counties of Estill, Owsley, Breathitt and Perry; the second to include the counties lying between the Kentucky river and Green river, up to the mouth of Big Barren, and between the latter and Kentucky river; the third to include the counties of Henderson, McLean, Butler, Warren, and all the counties lying to the south and south-east of Green and Big Barren rivers. And said society shall hold its annual meetings for the exhibition of

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stock, agricultural implements, manufactures, &c., and for the awarding of premiums in each of the said districts in rotation.

§ 4. That any one may become a member of this society previous to its organization by the payment to commissioners above named the sum of three dollars, which shall be the annual subscription giving membership, or twenty dollars entitling the subscribers to life-membership.

§ 5. That when two hundred members shall be enrolled, the commissioners shall call a general meeting of the subscribers, to be held in Frankfort, on the 12th of April, when and where they shall proceed to elect a president and three vice presidents—one from each of the agricultural districts above named—and nine directors—three of whom shall be chosen from each of said districts—and these officers shall serve for one year, or until their successors be chosen.

§ 6. That the president and directors may adopt a seal and change it at pleasure, appoint all agents and officers they may deem proper for their co-operation, fix their remuneration, and take bond and security for the faithful discharge of their duties, and shall have the management of the property, funds, and prudential concerns of said society.

§ 7. That the Governor, Lieutenant Governor, and Secretary of State, and also the presidents of all local agricultural societies, shall (exofficio) be members of this society; and that any one may become a member after the organization of the society by paying to the treasurer the sum of three dollars as annual subscription, or twenty dollars, which shall constitute him a life member of the society; but the president and directors shall have the power to strike out from the list of members the name of any person whose conduct shall, in their opinion, forfeit this privilege; and the person whose name shall be thus erased shall cease to belong to this society.

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§ 9. That it shall be the duty of the president and directors to call a general meeting of the members of the society, to be held in Frankfort, on the second Wednesday in January, 1857, and each successive year, for the purpose of transacting such business as may be brought before them, and of electing a president, three vice presidents, and ten directors, who shall manage the affairs of the society till the following annual meeting; and they may call a special meeting of the members of the society at any time and place they may deem proper, four weeks previous notice being given by advertising it in one public journal in each district.

§ 10. That as soon after their election as may be convenient, and later than the first Wednesday in the following June, the president and directors shall fix on a time and place at which they will hold the annual exhibition for the purpose of awarding premiums for stock, agricultural produce, agricultural implements, prize essays, &c., and shall also be-

fore the said first Wednesday in June make and publish a list of said

§ 12. That the president and directors, any five of whom shall form a quorum for the transaction of business, may, from time to time, make such by-laws, rules, and regulations for their own government, and for the management of the affairs of the society, as they may deem expedient, not contrary to the provisions of this charter, or the by-laws or regulations which the members may from time to time prescribe at their annual meetings.

§ 13. That it shall be the duty of the president and directors to make a report of the proceedings and condition of the society at each annual meeting of its members held as above stated, and also a report to the Legislature at its biennial session, setting forth in full the manner in which its means have been employed, and the state of its finances.

§ 14. That in case of the death, resignation, or refusal to act of any officer, the board of officers shall have power to fill such vacancy, at a meeting only called for that purpose, who shall act until the next annual election.

δ 15. This act shall take effect from its passage.

Mr. Sudduth moved to fill the blank in the 11th section of said bill with the words seven thousand.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Hardin and Walton, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain,
James F. Buckner,
William T. Haggin,
Sylvester Harris,
William C. Bullock,
Jesse W. Burton,
George T. Edwards,
William T. Haggin,
Charles Ripley,
D. Howard Smith,
James Sudduth,
Tucker Woodson—13.

Those who voted in the negative, were-

Charles H. Allen,	James D. Hardin,	Daniel Matthewson,
John S. Barlow,	Wiley S. Hay,	John S. McFarland,
John A. Cavan,	James D. Headley,	Shelby Stone,

Nathaniel W. Collins, Overton P. Hogan, W. H. Wadsworth, William L. Conklin, Samuel Howard, C. J. Walton, T. W. W. DeCourcey, William Howell, William C. Gillis, John Q. A. King,

The question was then taken on the motion made by Mr. Smith on yesterday to fill the blank with the words five thousand.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Walton, and Hardin, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain,
James F. Buckner,
William T. Haggin,
Sylvester Harris,
William C. Bullock,
Jesse W. Burton,
John A. Cavan,
George T. Edwards,
John S. McFarland,
Charles Ripley,
D. Howard Smith,
James Sudduth,
W. H. Wadsworth,
D. K. Weis,
Tucker Woodson—18.

Those who voted in the negative, were-

Charles H. Allen, James D. Hardin, John S. Barlow, Wiley S. Hay, Nathaniel W. Collins, William L. Conklin, T. W. W. DeCourcey, William Howell, William C. Gilliss, James D. Headley, Shelby Stone, C. J. Walton—16.

Mr. Irvine moved to amend the bill by adding thereto the following as an additional section:

That the officers of this society shall as often as they can obtain the information, publish in at least five of the principal newspapers published in this State, a statement of the number of stock, and quantity of produce that will probably be in market in each year; and also the ruling prices in our principal markets; and such other information as they may deem profitable to the community.

And the question being taken thereon it was decided in the negative.

Mr. Howell moved the following as an additional section:

That the amount appropriated by the State shall be applied in the publication and distribution of the best practical works on the subject of agriculture.

And the question being taken thereon, it was decided in the negative.

Mr. Barlow moved the following as a proviso to the 11th section:

Provided, Each division of the State shall be entitled to its equal proportion of such amount hereby appropriated.

And the question being taken thereon, it was decided in the affirmative.

Mr. King moved to amend the 11th section of said bill by inserting after the word "treasury," and before the word "and," both printed in italics, the words "for two years."

And the question being taken thereon, it was decided in the affirma-

The year and nays being required thereon, by Messrs. King and Stone, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen. Jesse W. Burton, John A. Cavan, Nathaniel W. Collins, William Howell, William L. Conklin, George T. Edwards, William C. Gilliss,

James D. Hardin. Wiley S. Hay, James D. Headley, John Q. A. King, Daniel Matthewson. George W. Silvertooth, Shelby Stone, James Sudduth, W. H. Wadsworth, C. J. Walton, D. K. Weis-19.

Those who voted in the negative, were-

John S. Barlow, Robert Blain, James F. Buckner, Samuel Howard, William C. Bullock, David Irvine, T. W. W. DeCourcey, Theodore Kohlhass, William T. Haggin,

Sylvester Harris, Overton P. Hogan,

John S. McFarland, Robert C. Palmer, Charles Ripley, D. Howard Smith, Tucker Woodson-16.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was taken on the passage of said bill, and it was de-

cided in the affirmative.

The year and nays being taken thereon in pursuance of provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain. James F. Buckner, William C. Bullock, Jesse W. Burton. John A. Cavan, William L. Conklin, George T. Edwards, William T. Haggin,

Sylvester Harris, Overton P. Hogan, William Howell, David Irvine, John Q. A. King, Theodore Kohlhass, John S. McFarland,

Robert C. Palmer, Charles Ripley, D. Howard Smith, James Sudduth, W. H. Wadsworth, D. K. Weis, Tucker Woodson-22.

Those who voted in the negative, were-

Charles H. Allen, John S. Barlow, Nathaniel W. Collins, James D. Headley, William C. Gilliss,

James D. Hardin, Wiley S. Hay, Samuel Howard,

Daniel Matthewson, George W. Silvertooth, Shelby Stone, C. J. Walton-12.

Resolved, That the title of said bill be as aforesaid.

The Senate also took up for consideration, a bill to regulate Foreign Insurance Companies.

Said bill was amended.

Ordered, That said bill as amended be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration a bill to provide for the more effectual collection of forfeited recognizances in criminal proceedings.

Said bill was read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the taking effect of this act, it shall be the duty of any officer taking a recognizance for the appearance at any circuit court of any person charged with a felony, to return such recognizance forthwith to the clerk of the proper court; and such recognizance, from the time when so returned and docketed as hereinafter provided, shall have the force and effect of a mortgage, upon all the real estate of the parties to such recognizance, lying within the county where it shall be so returned.

§ 2. It shall be the duty of the clerks of the circuit courts, to keep an alphabetical docket, in which they shall, immediately on the return of any recognizance, enter in its appropriate place, the name of every person bound by such recognizance, the amount of the same, with an appropriate reference, indicating where such recognizance or a record thereof may be found; which index shall be open at all proper hours for public inspection; and when any recognizor is discharged from further liability, an entry of satisfaction shall be made on such docket by the clerk of such court.

§ 3. When any other court has, by special enactment, jurisdiction of felonies, the provisions of this act shall extend to such court and its clerk, in the same manner as if such court and its clerk were specially named throughout this act in connection with circuit courts and the clerks thereof.

§ 4. When any recognizance taken under this act shall be forfeited, the lien hereinbefore declared may be enforced by proper petition as in case of a mortgage, and jurisdiction in such cause is hereby conferred on the court to which such recognizance was returned, or any other court of similar jurisdiction: *Provided*, That the lien hereby created shall not affect pre-existing creditors of such recognizors.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Hogan, and Walton, were as follows, viz:

Those who voted in the affirmative, were-

William C. Bullock, Sylvester Harris, Charles Ripley, William Howell, W. H. Wadsworth,

John A. Cavan, John S. McFarland, Tucker Woodson-10. William T. Haggin,

Those who voted in the negative, were-

John Q. A. King, William C. Gilliss, John S. Barlow, Daniel Matthewson, James D. Hardin, Robert Blain, George W. Silvertooth, Wiley S. Hay, James F. Buckner, Nathaniel W. Collins, James D. Headley, D. Howard Smith, William L. Conklin, Overton P. Hogan, James Sudduth, T. W. W. DeCourcey, Samuel Howard, C. J. Walton, D. K. Weis-21. George T. Edwards, David Irvine.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

Executive Department, February 21, 1856.

Gentlemen of the Senate:

I nominate, for your advice and consent, Richard Pindell and Ethelbert L. Dudley to be managers of the Eastern Lunatic Asylum at Lexington, and William T. Buckner to be a manager of the Western Lunatic Asylum at Hopkinsville.

C. S. MOREHEAD.

Resolved, That the Senate advise and consent to said appointments. Mr. Smith presented the petition of the late school commissioners of Scott county, praying the passage of an act in behalf of certain school districts in said county.

Which was received, the reading dispensed with, and referred to the committee on Education.

Leave was given to bring in the following bills, viz:

On motion of Mr. Smith-1, A bill for the benefit of Dr. D. D. Owen, State Geologist.

On motion of Mr. Weis—2. A bill incorporating the Ashland Fire, Marine, and Life Insurance Company.

On motion of Mr. Sudduth—3. A bill for the benefit of the town of Cynthiana.

On motion of Mr. Blain—4. A bill to amend the charter incorporating the Danville, Dix river and Lancaster Turnpike Road Company.

On motion of Mr. Conklin—5. A bill to change the boundary of certain voting precincts in Grayson county.

On montion of Mr. Gillis—6. A bill for the benefit of Wm. M. Smith, of Rockcastle county.

On motion of Mr. Sudduth—7. A bill to incorporate Hope Lodge, No. 246, of Free and Accepted Masons at Flat-rock, Bourbon county.

On motion of Mr. King—8. A bill for the benefit of Thomas S. Terrill.

On motion of Mr. DeCourcey—9. A bill to amend the charter of the Dry creek and Covington Turnpike road Company.

Ordered, That the committee on Agriculture and Manufactures prepare and bring in the 1st; the committee on the Judiciary the 2d; Messrs. Sudduth, Cavan, Gillis the 3rd; the committee on Internal Improvement the 4th and 9th; Messrs. Conklin, King, and Wadsworth the 5th; Messrs. Gillis, Sudduth, and Cavan the 6th; Messrs. Sudduth, Cavan, and Gillis the 7th; and the committee on County Courts the 8th.

Mr. Smith moved the following resolution, viz:

Resolved, That the committee on Agriculture and Manufactures, be instructed to report a bill on to-morrow at half past ten o'clock, to prosecute the Geological survey of the State.

Which was adopted.

Mr. Barlow moved the following resolution, viz:

Resolved, That during the remainder of the session, after this day, the Senate will take a recess at two o'clock, to meet again at three o'clock, P. M.

Which was adopted.

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Mr. King read and laid on the table the following joint resolution, viz:

The rule of the Senate being dispensed with, said resolution was taken up, and read as follows, viz:

Whereas, We consider the construction of a railroad to the Pacific Ocean as a great national enterprise, in which the South, West and South-west portions of this Union are much interested, more particularly our sister State of Texas; and whereas, the completion of said road would, in our opinion, tend greatly to the developement of the vast Western resources of the Union, the speedy dissemination of knowledge, the quick transportation of commerce, and the binding together, in closer bonds of fraternal affection, the daring and enterprising miner of the "Golden State," to the chivalrous and generoushearted planter of the Atlantic coast; and whereas, the State of Texas has liberally and munificently granted a large body of land to the Railroad Company, to enable it to prosecute this work to completion, which can be done beyond a doubt, if timely aided by the General Government: Therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators in Congress be instructed and our Representatives requested to procure, if possible, the aid of the General Government in the construction of the road from El Passo to Fort Yuma, on the Colorado (west) either by grant of land or otherwise, and to procure the grant of right of way for said road, through any Government

Resolved, That a copy of the foregoing preamble and resolution be forwarded to each of our Senators and Representatives in Congress, by the Governor, as soon as practicable.

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Ordered, That the Public Printer print 150 copies of said resolution for the use of the General Assembly, and that it be referred to the committee on Federal Relations, with instructions to report on the 23d inst., at a quarter before twelve o'clock, A. M.

A bill from the House of Representatives, entitled, an act to establish Equity and Criminal Courts in the first Judicial district, was read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed with,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being taken thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were-

John S. Barlow, Robert Blain, James F. Buckner, William C. Bullock, Jesse W. Burton, John A. Cavan, Nathaniel W. Collins, William L. Conklin,	T. W. W. DeCourcey, George T. Edwards, William C. Gillis, Overton P. Hogan, Samuel Howard, William Howell, David Irvine, John Q. A. King,	Theodore Kohlhass, Daniel Matthewson, John S. McFarland, Charles Ripley, George W. Silvertooth, D. Howard Smith, W. H. Wadsworth, Tucker Woodson—24.
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Those who voted in the negative, were-

Sylvester Harris,	James D. Headley,	C. J. Walton,
Wiley S. Hay,	James Sudduth,	D. K. Weis—6.

Resorved, That the title of said bill be as aforesaid.

The Senate took up for consideration the amendments proposed by the House of Representatives, to the amendments proposed by Senate to a bill from that House, entitled, "an act to provide against the demoralization of slaves."

Which were twice read and concurred in.

Bills from the House of Representatives of the following titles were severally read the first time, viz:

- 1. An act to incorporate the Buffalo and Hamilton Turnpike Road Company.
 - 2. An act to improve the State Road from Columbia to Albany.
 - 3. An act to change the time of holding the Owsley Quarterly Court.
- 4. An act to authorize the Louisville and Frankfort and Lexington and Frankfort Railroad Companies to consolidate their Companies.
- 5. An act to incorporate Belle Colline Female College, Franklin
- 6. An act to repeal so much of an act, entitled, an act concerning the Auditor's office and Treasurer's office as relates to the Treasurer's office.

7. An act regulating the application of moneys arising from the sales of vacant lands lying in Hart county.

8. An act to authorize the Salt River Turnpike Road Company to surrender a portion of said road to the Louisville and Cane Run Plank Road Company.

9. An act to amend the charter of the Louisville and Newport Branch Railroad Company.

10. An act for the benefit of Lemuel Hibbard, late Sheriff of Laurel county.

11. An act for the benefit of John Philly.

12. An act for the benefit of the Methodist Episcopal Church South, in Shelbyville.

13. An act to authorize the County Court of Mercer to subscribe stock in a certain Turnpike Road.

14. An act incorporating the Harrodsburg and Cornishville Turnpike Road Company.

15. An act to incorporate the Harrodsburg Springs Company.

16. An act to change the time of holding the quarterly courts in the counties of Barren and Monroe.

17. An act to amend and change an act to incorporate the Greenville Female College, approved Feb. 11, 1854.

18. An act directing the boundary line between Butler and Ohio counties to be run and remarked.

19. An act to incorporate the Bardstown and Cedar Creek Turnpike Road Company.

20. An act to reduce into one the several acts relating to the town of Taylorsville.

21. An act to incorporate the Bloomfield and Taylorsville Turnpike Road Company.

22. An act to revive and modify an act, entitled, an act to incorporate the Barren River Navigation and Manufacturing Company.

23. An act for the benefit of J. W. Henderson, of Barren county.

24. An act to incorporate the Cooke Coal and Iron Mining and Manufacturing Company.

25. An act to improve the road from Cumberland River to Monticello.

26. An act for the benefit of William M. Worsham, late Sheriff of Wayne county.

27. An act to amend the charter of the Covington and Cincinnati Bridge Company.

Ordered, That said bills be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred, the 1st, 2d, 4th, 8th, 9th, 13th, 14th, 19th, 21st, 23rd, and 25th to the committee on Internal Improvement; the 3rd, 7th, and 16th to the committee on County Courts; the 5th and 17th to the committee on Education; the 6th, 10th, and 26th to the committee on Finance; the 11th to the committee on Circuit Courts; the 12th to the committee on Religion; the 15th, 18th, and 20th to the committee on the Judiciary; the 22d and 24th to the committee on Agriculture and Manufactures; and the 27th was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as

aforesaid.

A bill from the House of Representative entitled, an act, supplemental to an act to incorporate the Bank of Harrodsburg, Kentucky.

Was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. King moved to amend said bill, pending which motion The Senate adjourned.

FRIDAY, FEBRUARY 22, 1856.

A message was received from the House of Representatives announcing their disagreement to a bill from the Senate, entitled, an act for the benefit of Harriett T. Williams.

That they had passed bills from Senate of the following titles, viz:

An act for the benefit of Jane Carey.

An act authorizing the sale of certain streets in Simpsonsville.

An act authorizing Constables to execute process issuing from the quarterly courts in civil actions.

An act further to regulate the duties of the Commissioner of the Louisville Chancery Court.

An act for the benefit of Alfred Kendall, Executor of Henry Woodyard, deceased, late sheriff of Grant county.

An act for the benefit of the heirs of Jacob Watson.

With an amendment to the last named bill.

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That they had concurred in the amendment of the Senate to bills from that House of the following titles:

An act repealing an act incorporating the town of Barboursville.

An act to amend, an act, entitled an act to amend and reduce into one, the several acts relating to the town of Princeton.

With an amendment to each of said bills.

That they had passed bills of the following titles, viz:

An act better to regulate the mode of working and opening roads in Boone county.

An act indemnifying in certain cases the owners of property in Louisville that may be injured, taken away, or destroyed by mobs.

An act to incorporate the town of Hazel Green.

An act to extend the boundary of the city of Henderson,

An act to regulate the office of Clerk of the Court of Appeals.

An act extending the Mechanic's lien to the town of Lebanon, Marion county.

An act to incorporate the Covington Building and Loan Association.

An act to regulate the fees of Coroners.

An act to amend the charter of the Bank Lick Turnpike road Company.

An act to amend an act, entitled, an act to amend an act incorporating the town of Raywick.

An act to amend the charter of the city of Augusta.

An act for the benefit of the Trustees of the Methodist Episcopal Church South, in the county of Henry.

An act for the benefit of the Georgetown and Lemon's Mill turn-pike road.

An act for the benefit of the Methodist Episcopal Church South, at Alexandria.

An act declaring Contrary creek a navigable stream.

An act for the benefit of Rowan county.

Mr. Walton, from the committee appointed to examine into, and make report to the Senate of the amount of business now on hand in the Senate, made the following report, viz:

The committee appointed to inquire into the amount of business in the hands of standing committees, beg leave to report the following:

manu	s of standing cor	illillitees,	neg 1	eave	to re	port th	ne tol	lowing:	
n the	hands of commit	tee on th	e Jud	iciar	V,	4	-	56 bills	7
	County Courts,	Distriction of the sea	- /	Application .	-			34	
	Circuit Courts,	_	-	-	-	DESTRUCTION OF	14 2 14	5	
	Propositions aud	Grievano	ces,	1200	10 40 60	12 10		11	
	Privileges and 1	Elections,		-		-	2	19	
	Religion,	-		-		-		5	
	Internal Improve	ements,	-	-	1300		-	80	

Finance,			-	120	115		10-11	31
Education,			-	1	- / 3	-	-	30
Penitentiary,	1178					-		2
Pennennary,								3
Federal Relation	ons,	-	-		-	-	-	
Agriculture and	d Ma	nufac	etures	,	-	-	-	9
Sinking Fund,		MILOS	- 0	-	7.5	-	-	3
Revised Statute	es.	-	-		-	-	-	7
Banks, -	-	-	-	-	-	-	-	13
	1				-	-	-	1
							- 650	35
The Clerk,								
m 4.1					-			264
Public Offices, The Clerk,	1		-	-				

The Senate took up for consideration a resolution from the House of Representatives in relation to the final adjournment of the Legisla-

Which reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, Two-thirds of the members elected to the Legislature concurring therein, that the present session of the General Assembly shall be continued until, and including the third day of March, 1856.

And the question being taken on concurring in said resolution, it was decided in the negative, two-thirds of the Senators elect not voting therefor.

The yeas and nays being taken thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen,	William C. Gilliss,	John S. McFarland,
Robert Blain,	William T. Haggin,	Robert C. Palmer,
James F. Buckner,	Sylvester Harris,	Charles Ripley,
William C. Bullock,	Wiley S. Hay,	George W. Silvertooth,
Jesse W. Bnrton,	William Howell,	D. Howard Smith,
John A. Cavan,	John Q. A. King,	W. H. Wadsworth,
William L. Conklin,	Theodore Kohlhass,	D. K. Weis,
T. W. W. DeCourcey,	Daniel Matthewson,	Tucker Woodson—24.

Those who voted in the negative, were-

John S. Barlow,	James D. Headley,	John P. Martin,
Nathaniel W. Collins,		Shelby Stone,
George T. Edwards,	Samuel Howard,	James Sudduth,
James D. Hardin.	David Irvine,	C. J. Walton—12.

The Senate took up for consideration the resolutions of the House of Representatives, in relation to the alledged claims of the United States to Wolf Island.

Ordered, That said resolutions be referred to the committee on Federal Relations.

1. Mr. DeCourcey presented the petition of Helen A. Ludlow, in

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relation to the establishment of a gate on the Covington and Dry creek turnpike road.

2. Mr. Burton presented the memorial of sundry citizens of the county of Boyle, asking an appropriation in aid of colonization.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Internal Improvement, and the 2d to the committee on Finance.

The Speaker announced the following as the committee on the Geological survey: Messrs. Sudduth, Weis and King.

Mr. Martin presented the remonstrance of sundry citizens of the county of Morgan, against the formation of a new county out of part of said county.

Ordered, That said remonstrance be filed with the bill now before the Senate, establishing the county of McKee.

The Senate according to order took up for consideration the bill to establish the county of McKee.

Said bill reads as follows, viz:

1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the first day of April, 1856, all that part of the county of Morgan lying within, and included in the following boundary, shall be, and the same is hereby erected into and established a seperate and distinct county, to be called and designated the county of McKee, in honor of Col. William R. McKee, a native son of Kentucky, who fell at the memorable battle of Buena Vista, gallantly fighting the enemies of his country, to-wit: Begining at the mouth of Salt spring branch, where the Bath and Morgan county line strikes Licking river; thence running up Licking to the mouth of Grassy creek; thence running up Grassy creek to James Nickells' so as to include his house; thence a straight line to Wm. S. Lykins' on Johnson creek, excluding him; same course continued to the top of the dividing ridge between Cow creek and the William's fork of Johnson creek; thence running said divide to the head of Red river, to the Breathitt county line; thence with the Breathitt and Morgan county line to the Owsley county line; thence with the Owsley and Morgan county line to the Powell and Morgan county line to the Bath county line; thence with the Bath and Morgan county line to the begining.

§ 2. That the county of McKee shall be laid off into four districts, for the election of justices of the peace and constables for said county, agreeably to the requisitions of the Constitution; which districts shall also be election precincts. Caleb Kash, James P. Holderby, John J. Sweatnam, Raney Maxey, Zachariah Hensley, Lewis Powers and Abraham Swango, be, and they are hereby appointed commissioners, who, or a majority of whom, after taking an oath before a justice of the peace of Morgan county, faithfully and impartially to discharge their duties, shall lay off said districts, and designate the place of voting in each. Said districts shall be laid off so as to make the population and territory of each as nearly equal as practicable. Said commissioners shall meet in the town of Hazel Green, on the first Monday in April,

1856, or as soon thereafter as may be, and proceed to discharge the duties imposed on them by this act. They may adjourn from time to time, and from place to place, until through. They shall lodge a certified copy of the boundaries of said district in the hands of Jefferson H. Johnson, or any other person they may select, whose duty it shall be to hold it in safekeeping until there shall be an election of County Court Clerk for said county of McKee, and then he shall deliver it to said clerk, who shall file and record the same in his office; and they shall forthwith transmit another certified copy to the Secretary of State, who shall carefully preserve the same in his office. Said commissioners shall also designate in each of said districts two suitable persons to act as judges, and one in each to act as clerk, and one as sheriff of the election of circuit court clerk, county court clerk, a sheriff, an assessor, a surveyor, jailor, coroner, county attorney, presiding judge of the county court, and two justices of the peace, and one constable in each district, for said county of McKee; which election shall be held at the regular election in the month of August next. The judges, clerks, and sheriffs appointed by the commissioners aforesaid in each district, to hold said election, before entering upon the discharge of their duties, shall take an oath befor some authorized person faithfully and impartially to discharge the duties imposed on them by this act. Those who may act as sheriffs aforesaid, shall meet in the town of Hazel Green, on the fourth day after said election, and after carefully comparing the polls, shall sign two certificates of the election. designating the name of each person having the highest number of votes, and the office to which he is elected; one of which shall be lodged in the hands of Jefferson H. Johnson, or the circuit court clerk of Morgan county, who shall cause it to be recorded in the county court Clerk's office of the said county of McKee; the other they shall forthwith transmit to the Secretary of State, to be by him filed and carefully preserved in his office; whereupon said Secretary shall forthwith cause commissions to be issued to the several officers certified to be elected, who, before they enter upon the discharge of the duties of their respective offices, shall take an oath, and where, by law required, shall execute bond according to existing laws in reference to similar offices; and thereupon their official acts shall be obligatory to all intents and purpeses, when done in accordance with the Constitution and the laws of the State. They shall hold their offices until the next regular election of like officers, and until their successors are elected and qualified. That, until all the officers elected for the new county. as aforesaid, are commissioned, sworn, and qualified, the county of Morgan and the courts thereof, shall have jurisdiction as though this act had not passed.

§ 3. That Gen. James Sudduth, of Bath county, and Col. Jeremiah W. South, of Breathitt county, be and they are hereby appointed commissioners to permanently locate the seat of justice, and select a site for the erection of the public buildings of said county. Said commissioners shall be allowed twelve and a half cents per mile, going to and returning from the performance of their duties, estimating the distance from their respective homes to the town of Hazel Green, and three dollars per day each for their services, to be paid out of the county

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treasury. In case of the disagreement of the said commissioners as to a point of location, then the umpire chosen by them shall decide the point of location. If said Sudduth and South shall appoint an umpire as aforesaid, they shall do so in writing, and return such writing with the report they may make, as commissioners aforesaid. Said commissioners and their umpire (if one be selected) shall before they enter upon the discharge of their duties take an oath before some authorized person faithfully and impartially to discharge their duties, a certificate of which oath shall be returned with their report as commissioners aforesaid. If, from any cause, said commissioners refuse, or become unable to act, the Governor, when such refusal or inability is made known to him, shall appoint some suitable person to fill the vacancy.

§ 4. The commissioners appointed herein to locate the seat of justice and the site for public buildings for the county of McKee, shall meet in the town of Hazel Green on the first Monday in May, or as soon thereafter as may be, and proceed to discharge the duties imposed by this act; and for that purpose may adjourn from day to day, and from place to place, until they are fully satisfied to the most eligible point and most suitable location, and when the place of location is fixed upon, their determination shall be made out in writing and signed by them, and delivered to the circuit court clerk of Morgan county, and carefully preserved by him until the election of clerk of said county court, when the same shall be delivered over to said clerk, and by him recorded in his office.

§ 5. That the county court of said county of McKee, a majority of the justices coucurring, shall have power to appoint commissioners to purchase the lots or parcels of ground selected for the public buildings, and cause a deed or deeds of conveyance therefor to be made to the county of McKee. Said county court as aforesaid, a majority of the justices concurring, shall have power to assess and levy a tax upon each tithe now subject to county levies within said county, a capitation tax, not exceeding one dollar and fifty cents per tithe in any one year, and an ad valorem tax upon all the property now subject to taxation for State revenue, any sum not exceeding fifteen cents in any one year, upon each \$100 worth of property for the purpose of raising the means necessary for the purchase of the public grounds and the erection of a court house and other public buildings thereon. Said commissioners may also be empowered by the county court to draft plans and specifications, let out and superintend the erection of the public buildings aforesaid. And until the public buildings aforesaid are erected, the said county court of McKee shall have power to provide suitable rooms for the clerk's offices, and for the holding of the county and circuit courts.

§ 6. That John W. Hazlerigg, or the surveyor of Morgan county, be and he is hereby appointed a commissioner with such assistance as he may deem necessary to employ, to run and mark the boundary lines of said county of McKee, agreeably to the first section of this act, and that said commissioner make out six fair plats of said county, with notes of reference, one of which he shall deposit with the clerk of the county court of McKee, and transmit one to each of the county court clerks of Bath, Morgan, Powell, Owsley and Breathitt counties, in or-

der that the same may be recorded in each of the counties aforesaid. Said commissioner shall run and mark the boundary aforesaid by the 4th Monday in March next, and shall in addition to the copies aforesaid, deliver on or before 1st Monday in April, a copy of the plat to one of the commissioners herein appointed to run and mark the justices' district. Said commissioner shall be allowed ample compensation for his services, not less than five dollars per day, to be paid by the county of McKee.

§ 7. The Secretary of State be and he is hereby directed to furnish to the county of McKee, or the officers thereof, all the public books and statutes that are now directed by law to be furnished to the public officers of this commonwealth. *Provided*, however, Said books need not be furnished until after the officers aforesaid are elected, and commis-

sioned, as provided for in this act.

§ 8. The county of McKee shall have the use of the jail of Morgan county until a jail is built in said county of McKee, and the jailor of Morgan county shall receive all persons committed from McKee county, in the same manner as if committed from the county of Morgan

§ 9. The county of McKee shall be entitled to her proportion of the surplus school fund, if any, of the county of Morgan, in proportion to the number of children stricken off from such county to the county of

McKee.

§ 10. The county of McKee shall vote at elections for members of Congress with the ninth Congressional district, for Senators in the State Legislature, with the thirty-seventh senatorial district, and for members of the House of Representatives with the counties of Morgan (from which it is cut off,) and Breathitt, and the sheriffs of said counties, it all elections shall compare the polls of said counties as now pre-

scribed by law.

§ 11. It shall be lawful for parties residing in the county of McKee. who have suits now pending in the Morgan circuit court, or which may be brought previous to the election in August next, as hereinbefore provided, to remove the same as hereinafter provided for trial to the circuit court of McKee: Provided, Both parties, or the parties in interest in such suit or suits, assent to such removal; or upon application therefor to the judge of said court, by either of said parties, notice having been served upon the other party at least ten days before the sitting of said court, it shall be lawful for the judge thereof to direct the clerk of the Morgan circuit court to deliver the papers filed in said suit or suits, together with a copy of the proceedings had in the cause or causes, to the clerk of the McKee circuit court, taking his receipt there-Provided further, That the convenience of said parties in the trial of said suits will, in the opinion of the court, be promoted by the removal. Said suit or suits shall progress to trial and final judgment and satisfaction, as if originally instituted in the circuit court of McKee

§ 12. That it shall be the duty of the assessor of tax for the county of Morgan to proceed and assess the property for the county of McKee in the same manner he would have done if said county had never been established, except that he shall keep a separate list of all percons as-

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sessed for said county of McKee, and shall make return thereof to the clerk of the McKee county court in the same manner that assessors are now by law required, to return their lists; and said clerk shall, in reference thereto, be governed by the existing laws of this State. Said assessors shall, for his services in listing the property for taxation in said county of McKee, receive compensation at the same rate per

list as allowed by law to assessors of tax in other counties. § 13. The county revenue collected under this act for the county of McKee, shall be appropriated, as far as may be necessary, to the payment of those debts incurred by the county of Morgan for appropriations to objects within the territory now composing the county of McKee; and in order thereto it is hereby made the duty of the clerk of the county court of McKee, as soon after his election and qualification as convenient, to procure from the clerk of the county court of Morgan county, a copy of the record making said appropriations. which shall be submitted to the approval of the county judge of McKee county, and if by him approved shall be recorded on the books of the county court of McKee county, and be as binding on the county court of McKee county as if originally made therein.

§ 14. The county courts for said county of McKee shall be held on the first Monday in each month, except in the months when circuit courts are directed to be holden. The courts of the county judge on the first Wednesdays in August, November, February and May.

§ 15. This act shall take effect from its passage.

And the question being taken on ordering said bill to be engrossed and read a third time, it was decided in the negative.

The year and nays being required thereon, by Messrs. Wadsworth and Blain, were as follows, viz:

Those who voted in the affirmative, were-

George T. Edwards, Robert Blain. John A. Cavan, William C. Gilliss, Nathaniel W. Collins, James D. Headley, T. W. W. DeCourcey, Samuel Howard,

D. Howard Smith, Shelby Stone, James Sudduth. Tucker Woodson-12.

Those who voted in the negative, were—

John S. Barlow, James F. Buckner, William C. Bullock, Jesse W. Burton, William L. Conklin, William T. Haggin, James D. Hardin, Sylvester Harris,

Wiley S. Hay, Overton P. Hogan, William Howell, David Irvine, Theodore Kohlhass, John P. Martin.

Daniel Matthewson, John S. McFarland. Robert C. Palmer, Charles Ripley, John Q. A. King, George W. Silvertooth. W. H. Wadsworth. C. J. Walton-22.

So the said bill was rejected.

Mr. Irvine moved a re-consideration of the vote by which the Senate to-day, refused to concur in a resolution from the House of Representatives, in relation to a final adjournment of the Legislature.

And the question being taken on reconsidering said vote it was decided in the affirmative.

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The question was then taken on concurring in said resolution, and it was decided in the affirmative.

The yeas and nays being taken thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen,
John S. Barlow,
Robert Blain,
James F. Buckner,
William C. Bullock,
Jesse W. Burton,
John A. Cavan,
William L. Conklin,
T. W. W. DeCource
William C. Gilliss,

William T. Haggin,
James D. Hardin,
Wiley S. Hay,
William Howell,
David Irvine,
John Q. A. King,
Theodore Kohlhass,
John P. Martin,
y, Daniel Matthewson,
John S. McFarland,

Robert C. Palmer, Charles Ripley, George W. Silvertooth, D. Howard Smith, James Sudduth, W. H. Wadsworth, C. J. Walton, D. K. Weis, Tucker Woodson—29.

Those who voted in the negative, were-

Nathaniel W. Collins, James D. Headley, Samuel Howard, George T. Edwards, Overton P. Hogan, Shelby Stone—6.

On motion of Mr. Kohlhass, leave was given to bring in a bill to amend the charter of Lodge No. 32, of Independent Order of Odd Fellows.

Ordered, That the committee on the Judiciary prepare and bring in the same.

The Senate resumed the consideration of a bill the better to define usury, with the amendments offered by Mr. Sudduth, and the amendment to the amendment proposed by Mr. Hogan.

Said bill reads as follows, viz:

Whereas, It is represented that banking and other corporations created by the laws of this Commonwealth, with power in their charters to discount promissory notes and bills, and to deal in exchange, frequently contract for and receive in the purchase or discount of bills, in addition to the interest, large sums as "exchange"—the amounts depending on the time such bills have to run—and greatly more than sufficient to cover any ordinary fluctuations in the value of sight checks between the places of discount and payment, thus contracting for and receiving under color and pretext of exchange, a greater rate of interest than is by law allowed for the loan or forbearance of money; and, whereas, in the absence of distinct legal prohibition, such transactions have been held to be legal. Therefore, that the good people of this Commonwealth may be protected from undue exactions,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the discount or purchase by any banking or other corporation, of any bill of exchange, payable at any place within the limits of Kentucky, be held to be usurious if a greater rate of interest or discount is charged than is allowed by the charters of such corporation, to be contracted for or received in the discount of promissory notes, with the addition of one quarter of one per cent. upon the amount of

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such bill, to cover the cost, risk, and delay of the transfer of the mo-

ney from the place of payment to that of discount.
§ 2. That the discount or purchase by any banking or other corporation, of any bill of exchange, payable at any place beyond the limits of this State, and having not more than thirty days to run from the time of such discount or purchase, shall be held to be usurious if a greater rate of interest or discount shall be contracted for or received than is by their charters allowed to be contracted for or received in the discount of promissory notes, with the addition of one-eighth of one per cent. upon the amount of the bill, to cover any fluctuations in the value of sight checks between the place of discount and that of

payment.

§ 3. That the discount or purchase by any banking or other corporation of any bill of exchange, payable beyond the limits of this State, and having longer than, and not less than sixty days to run from the time of such discount or purchase, shall be held to be usurious if a greater rate of interest is contracted for or received than is by their charters allowed to be contracted for or received in the discount of promissory notes, with the addition of one-eighth of one per cent. per month, for the time such bills have to run from the date of such discount or purchase, to cover any fluctuations in the value of sight checks, between the time of discount and that of payment.

§ 4. That whenever at the date of the discount or purchase of bills of exchange, payable at points beyond the limits of this State, by any banking or other corporation, such banking or other corporation shall be checking at sight on such places of payment, at a less rate than par, then the difference between the par value and the selling rate for such sight checks may be added to the rates allowed to be charged in the

discount or purchase of such bills, by this act.

§ 5. That any contract by which any banking or other corporation stipulates for the right to pay the amount or any part thereof of the proceeds of any bill of exchange, discounted or purchased by such banking or other corporation in checks on other points, at a rate above the par, or immediately convertible value at the place of discount, of such checks into Kentucky bank notes, shall be held to be usurious.

§ 6. If any corporation shall take or contract for any greater rate of discount than is authorized by the foregoing sections in the purchase or discount of any bill of exchange, such corporation shall have no right of action on such bill of exchange; and if such bill of exchange shall be paid by any party thereto, the person so paying, his executors, administrators, or assigns may, at any time within five years from the time of such payment, sue for and recover the amount thereof from

the corporation which discounted or purchased the same.

§ 7. The provisions of the preceding section shall not apply, in any case, if such corporations shall clearly show that the rate of discount received or contracted for on such bill of exchange, discounted or purchased, did not exceed legal interest, and the value of sight exchange, estimating the value of sight exchange, between the place where such bill was discounted, and the place where it was payable, at its market value, at the time the same fell due; but where a greater rate of discount is received or contracted for than the rates mentioned in the four

first sections of this act, the burden of proof shall be on such corporation, to show that the rate so received or contracted for did not exceed legal interest and the market rate or value of sight exchange, at the time of the maturity of such bill. The intent and meaning of this act being not to prohibit the taking of the actual difference in exchange, but to prevent usury on time bills under the pretext of exchange, and of providing against fluctuations in the rates of exchange.

§ 8. Nothing in this act shall be construed as prohibiting any corporation from receiving legal interest on the discount of any time bill, although exchange may be worth a premium at the time of such dis-

count, or at the time of the maturity of the bill.

§ 9. This act to go into effect on and after the first day of July, 1856.

The amendment proposed by Mr. Sudduth was to add to the 8th section the following proviso:

Provided, That the provisions of this act shall apply to private

bankers and brokers.

The amendment proposed to said amendment by Mr. Hogan, is as follows:

Strike out the words "private bankers and," printed in italics, and insert in lieu thereof the words "all licensed," and after the word "brokers" to add "in this State."

And the question being taken on the adoption of the amendment proposed by Mr. Hogan, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Irvine and

Palmer, were as follows, viz:

Those who voted in the affirmative, were-

John S. McFarland, Charles H. Allen, James D. Hardin, Robert C. Palmer, Overton P. Hogan, John S. Barlow, George W. Silvertooth, Samuel Howard, William C. Bullock, D. Howard Smith, David Irvine, Jesse W. Burton, Nathaniel W. Collins, Theodore Kohlhass, Shelby Stone, D. K. Weis-20. T. W. W. DeCourcey, John P. Martin, Daniel Matthewson, George T. Edwards,

Those who voted in the negative, were-

Robert Blain,
James F. Buckner,
John A. Cavan,
William L. Conklin,
William C. Gilliss,
William G. Gilliss,
William T. Haggin,
Sylvester Harris,
Wiley S. Hay,
William Howell,
John Q. A. King,
Charles Ripley,
James Sudduth,
W. H. Wadsworth,
C. J. Walton,
Tucker Woodson—15.

The question was then taken on the adoption of the amendment proposed by Mr. Sudduth, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Irvine and Stone, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, James D. Hardin, John S. McFarland, John S. Barlow, James D. Headley, Robert C. Palmer,

Robert Blain, William C. Bullock. Nathaniel W. Collins, William L. Conklin, George T. Edwards, William C. Gilliss,

Overton P. Hogan, Samuel Howard, William Howell, David Irvine. Theodore Kohlhass, John P. Martin.

George W. Silvertooth, Shelby Stone, James Sudduth. C. J. Walton, D. K. Weis, Tucker Woodson-24.

Those who voted in the negative, were-

James F. Buckner. Jesse W. Burton. John A. Cavan.

William T. Haggin, Sylvester Harris, Wiley S. Hay, T. W. W. DeCourcey, John Q. A. King,

Daniel Matthewson. Charles Ripley, D. Howard Smith, W. H. Wadsworth-12.

Mr. Smith moved to amend the sixth section of said bill as follows: Strike out from the word "exchange" where it first occurs, to, and including the same word where it next occurs.

And the question being taken thereon it was decided in the negative.

Mr. Smith moved to amend same section by striking out the words "amount thereof," printed in italics, and insert in lieu thereof the following: "whole amount of discount and interest with one hundred per cent. damages."

And the question being taken thereon, it was decided in the nega-

Mr. Smith moved to amend the seventh section of said bill by striking out the words printed in italics.

And the question being taken thereon it was decided in the negative.

Mr. Ripley moved to amend the amendment proposed by Mr. Sudduth, by inserting after the word "act" and before the word "shall" the word "excepts the fourth and sixth sections."

And the question being taken thereon, it was decided in the negative.

Mr. Wadsworth moved the previous question.

And the qustion being taken, shall the main question be now put? and it was decided in the affirmative.

The question was then taken on ordering said bill as amended to be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Ripley and Smith, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen. William C. Gilliss. Daniel Matthewson. John S. Barlow, James D. Hardin. John S. McFarland,

Robert Blain, James F. Buckner, William C. Bullock, Jesse W. Burton, John A. Cavan, Nathaniel W. Collins, Theodore Kohlhass, William L. Conklin,

Sylvester Harris, Wiley S. Hay, Overton P. Hogan, William Howell. David Irvine. John P. Martin,

Robert C. Palmer, Shelby Stone, James Sudduth, W. H. Wadsworth, C. J. Walton, D. K. Weis, Tucker Woodson-27.

Those who voted in the negative, were-

T. W. W. DeCourcey, James D. Headley, George T. Edwards, William T. Haggin,

Samuel Howard, John Q. A. King,

Charles Ripley, George W. Silvertooth, D. Howard Smith-9.

Resorved, That the title of said bill be as aforesaid.

The Senate took up for consideration a bill from the House of Representatives, entitled, an act supplemental to an act to incorporate the Bank of Harrodsburg Kentucky, with the amendment proposed by Mr. King, on yesterday.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the first section of an act to incorporate the Bank of Harrodsburg Kentucky, passed at the present session of the General Assembly, be and the same is hereby so amended as to read as follows, viz: That the name of the Savings Institution of Harrodsburg, shall be, and the same is hereby changed to the Bank of Harrodsburg, and by the latter name, shall be entitled to and exercise all the rights, privileges, and immunities, and be subject to all the liabilities and restrictions (except as changed by this act) of the act incorporating said Savings Institution. Said bank shall keep its office of discount and deposit in the town of Harrodsburg; and in addition to the privileges heretofore granted to said Savings Institution, said bank shall have the power, and is hereby authorized, to issue bills and bank notes, payable to bearer on demand at said office of discount and deposit, but not of less denomination than one dollar.

The amendment proposed by Mr. King reads as follows, viz:

§ 1. Be it further enacted, That the president and directors of the Bank of Harrodsburg shall be authorized to increase the capital stock of said bank, one hundred thousand dollars in addition to the capital now authorized to be subscribed; and said president and directors shall, on or before the first day of July next, establish a branch of said bank at Glasgow, Kentucky, with a capital stock of one hundred thousand dollars; Provided, That the citizens of Barren and the surrounding counties, shall take the stock of said branch, or at least seventy-five thousand dollars, of said stock.

§ 2. The President, Directors, and Company of said bank, shall keep said branch at Glasgow, during the continuance of their charter, and the officers of said branch shall be elected annually, by the stockholders in said branch. And all notes issued for, and on account of said branch, shall be made payable at the counter of said branch. The business of said branch shall be conducted under the same restrictions as are contained in the bill passed, the present session, in relation to

the bank of Harrodsburg.

§ 3. George W. Trabue, John G. Rogers, Thomas J. Gorin, D. M. Ashby, J. R. Barrick, Haiden Dodd, and T. H. M. Winn, are hereby appointed Commissioners to open books for the subscription of the stock of said branch, at such times and places as the president and directors of the mother Bank shall direct,

§ 4. Said branch shall be governed by such rules and regulations, as the president, directors, and company of said bank may provide, by their by-laws. The stock of said branch shall be joint stock with the stock of the mother bank. And when fifty thousand dollars of the stock of said branch shall be taken, and twenty-five thousand dollars paid in. said branch shall be authorized to commence business.

§ 5. The stockholders of the additional stock subscribed towards the capital stock of said branch, shall be subject to all the restrictions of

the mother bank.

Mr. Martin moved the following as an amendment to the amendment proposed by Mr. King:

The Legislature reserves to itself the right to amend or repeal this act at pleasure.

And the question being taken thereon, it was decided in the nega-

The yeas and nays being required thereon, by Messrs. Martin and Walton, were as follows, viz:

Those who voted in the affirmative, were-

William T. Haggin, Samuel Howard, John P. Martin-4. Overton P. Hogan,

Those who voted in the negative, were-

Charles H. Allen. John S. Barlow, Robert Blain, James F. Buckner, Sylvester Harris, William C. Bullock, Jesse W. Burton, John A. Cavan, Nathaniel W. Collins, David Irvine, William L. Conklin, T. W. W. DeCourcey, Theodore Kohlhass, D. K. Weis-30.

George T. Edwards. William C. Gillis. James D. Hardin. Robert C. Palmer. Wiley S. Hay, James D. Headley, William Howell, John Q. A. King,

Daniel Matthewson. John S. McFarland, Charles Ripley, D. Howard Smith, Shelby Stone, James Sudduth. W. H. Wadsworth, C. J. Walton,

Mr. Allen moved the following amendment to the amendment:

Be it further enacted, That the stockholders of the Harrodsburg bank may establish a branch at the town of Milton, in the county of Trimble, provided that the citizens of the counties of Henry, Trimble, and Oldham, shall subscribe one hundred thousand dollars stock in said bank, within six months after the passage of this act, and it shall be the duty of the stockholders of said bank to open books for the subscription of stock, in the county of Henry, in the town of New Castle, and said books so opened shall be kept open for at least ten days.

And after some discussion had thereon,

The Senate adjourned.

SATURDAY, FEBRUARY 23, 1856.

A message was received from the House of Representatives, announcing that they had passed a bill entitled,

An act to provide for holding terms of the Campbell circuit court in Newport.

Which was read the first time, and ordered to be read a secodn time.

The constitutional provision as to the second and third readings of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Buckner presented the petition of sundry citizens of Christian county, praying the establishment of an additional election and civil district in said county.

Bills from the House of Representatives of the following titles were reported from the several committees to whom they were referred, viz:

By Mr. Buckner, from the committee on the Judiciary-

An act to amend the charter of the town of Alexandria.

By Mr. Smith, from the committee on Circuit Courts-

An act for the benefit of the circuit court clerk of Campbell county. By same—

An act for the benefit of John Philly.

By Mr. Harris, from the committee on County Courts-

An act to change the time of holding the Quarterly Courts in the counties of Barren and Monroe.

By Mr. Blain, from the same committee-

An act creating an additional justices' district in the county of Pulaski.

By Mr. Harris, from the same committee-

An act to establish a police judge and town marshal in the town of Mount Olivet, in Bracken and Nicholas counties.

With an amendment to the first named bill.

Which was concurred in.

Ordered, That said bills, the first as amended, be read a third time. The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid,

The following bills were reported by [the several committees appointed to prepare and bring in the same, viz:

By Mr. Weis, from the committee on Internal Improvement—A bill to amend the charter of the Danville, Dix River and Lancaster Turnpike Road Company.

By Mr. Buckner, from the committee on the Judiciary—A bill to incorporate the Commercial Insurance Company.

By same—A bill to reduce into one the several acts in relation to the town of Herrodsburg.

By Mr. Smith, from the committee on Circuit Courts—A bill to increase the number of examiners in Morgan county.

By same—A bill to increase the powers of the Marshal and Police Judge of Columbia, Adair county.

By same—A bill to amend and reduce into one the several acts concerning the town of Ghent.

By same—A bill to incorporate Logan Lodge No. 73, of the I. O. O. F., at Russellville, Kentucky.

By same—A bill to incorporate Merrick Lodge No. 31, I. O. O. F., of the city of Lexington.

By Mr. Harris, from the committee on County Courts—A bill to change the time of holding the Warren and Edmonson Quarterly Court.

By Mr. Bullock, from a select committee—A bill to incorporate the Bourbon Female Institute, at North Middletown.

Which were read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bills being dispensed, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Martin, from the committee on the Judiciary, reported a bill to prevent the selling and using of certain weapons.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was amended and reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That any person or persons who may hereafter be found guilty, of vending, buying, selling or dealing in the weapons popularly known as colts, brass knuckles, slung-shot, or any imitation or substitute therefor, shall forfeit and pay the sum of twenty-five dollars for each and every offense so committed, one-half thereof to be applied to the jury fund the other to the prosecutor.

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§ 2. Be it further enacted, That should any person strike, beat, wound or bruise another by using any of the above named weapons he or they so offending shall forfeit and pay the sum of one hundred dollars to the party or person so struck, wounded or bruised, which party shall have action at law in any circuit court of this commonwealth, and in defense of the payment thereof said offender or offenders shall be imprisoned in the city or county jail until all costs and damages are fully paid.

§ 3. Should any person be killed by the weapons aforesaid, or any one of them, or in any other way, except in self-defense, the wife, if he have one, or heirs at law if he have no wife, shall have an action against all such as were in any wise concerned in such killing, and recover such damages as a jury may deem right, and in default of the payment of such damages, the defendant or defendants may be im-

prisoned as in other cases of trespass to the person.

§ 4. This act shall be given in charge to the grand juries of this commonwealth.

Mr. Wadsworth moved to re-commit said bill to the committee on the Judiciary.

Mr. Martin moved the previous question.

And the question being taken, shall the main question be now put? and it was decided in the affirmative.

The question was then taken on re-committing said bill, and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Martin and Harris, were as follows, viz:

Those who voted in the affirmative, were-

Nathaniel W. Collins, Overton P. Hogan, T. W. W. DeCourcey, Samuel Howard, Wiley S. Hay, David Irvine, John S. McFarland, Charles Ripley, W. H. Wadsworth—9.

Those who voted in the negative, were-

William C. Gilliss, Daniel Matthewson, Charles H. Allen, Robert C. Palmer, James D. Hardin, John S. Barlow, Sylvester Harris, George W. Silvertooth, Robert Blain, D. Howard Smith, James D. Headley, James F. Buckner, James Sudduth, William Howell, William C. Bullock, C. J. Walton, John Q. A. King, Jesse W. Burton, D. K. Weis-23. Theodore Kohlhass, William L. Conklin, George T. Edwards, John P. Martin,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The year and nays being required thereon, by Messrs. Martin and Walton, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, John S. Barlow, Robert Blain, James F. Buckner, William C. Bullock, Jesse W. Burton, Nathaniel W. Collins, John Q. A. King, C. J. Walton, William L. Conklin, George T. Edwards,

William C. Gillis, James D. Hardin, Wiley S. Hay, James D. Headley, Overton P. Hogan, William Howell, Theodore Kohlhass, D. K. Weis-26. John P. Martin,

Daniel Matthewson, Robert C. Palmer. Charles Ripley, George W. Silvertooth, D. Howard Smith, James Sudduth,

Those who voted in the negative, were-

T. W. W. DeCourcey, Samuel Howard, Sylvester Harris, David Irvine,

John S. McFarland. W. H. Wadsworth-6.

Mr. Bullock, from the same committee, asked to be discharged from the further consideration of a leave to them referred to bring in a bill to amend the charter of the city of Paducah.

Which was granted.

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A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State, announcing that he had approved and signed enenrolled bills and a resolution which originated in the Senate, of the following titles, viz:

An act to renew the charter of the Mechanics' Bank of Louisville. An act for the benefit of the Methodist Episcopal Church South, in the town of New Castle.

An act for the benefit of G. W. McConnell, late sheriff of Woodford county.

An act to incorporate the Winchester and Red River Iron Works Turnpike Road Company.

An act to increase the pay of the members of the Legislature.

'An act to incorporate the Mechanics' Fire Company, No. 1, or Jersey City and Paducah, Kentucky.

An act to prevent the destruction of fish in Little river.

An act declaring the South Kentuckian an authorized newspaper.

An act to incorporate the town of Ashland.

Resolution directing the printing of the Common School Laws in pamphlet form. Approved Feb. 23, 1856.

Mr. McFarland, from the committee on Agriculture and Manufactures, reported a bill to provide for the prosecution of the geological, minerological, chemical, topographical and agricultural survey of the

Which was read the first time and ordered to be read a second time. The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That the Public Printer print 150 copies of said bill, and

that it be made the special order of the day for the 26th inst., half

past ten o'clock, A. M.

Mr. Smith, from the committee on County Courts, to whom was referred a bill from the House of Representatives, entitled, an act to regulate the fees of witnesses in certain cases, reported the same without amendment.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That any person who may be required to attend a circuit court as a witness, shall be paid seventy-five cents for every day his attendance may be required, (and mileage, if his residence is more than fifteen miles from the court house,) to be paid as the laws now provide, or may provide.

§ 2. The provisions of this act shall apply to witnesses who may be

required to attend the county and quarterly courts.

Mr. Blain moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Hogan and Palmer, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain, William C. Gilliss, John S. McFarland, Robert C. Palmer, Nathaniel W. Collins, William L. Conklin, Daniel Matthewson, C. J. Walton—12.

Those who voted in the negative, were-

Charles H. Allen, James D. Headley, John S. Barlow, Overton P. Hogan, T. W. W. DeCourcey, William Howell, George T. Edwards, James D. Hardin, John Q. A. King, Wiley S. Hay,

Theodore Kohlhass, John P. Martin, D. Howard Smith, James Sudduth, W. H. Wadsworth—16.

Mr. King moved to amend said bill by adding thereto the following

aditional section:

The provisions of this act shall also apply to the equity and criminal courts in the first Judicial district.

Which was adopted.

Mr. Conklin moved to strike out that portion of the first section relating to mileage, printed in italics.

Which was adopted.

Mr. Wadsworth moved to amend the first section of said bill by inserting between the words "witness shall," printed in italics, the words "in civil cases."

And the question being taken on the adoption of the amendment it was decided in the negative.

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Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Walton and Hogan, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, Overton P. Hogan, Samuel Howard,

John P. Martin, D. Howard Smith, George W. Silvertooth, W. H. Wadsworth—7.

Those who voted in the negative, were-

John S. Barlow. James D. Hardin, Theodore Kohlhass, Robert Blain, Sylvester Harris, Daniel Matthewson, James F. Buckner, Wiley S. Hay, John S. McFarland, William C. Bullock, James D. Headley, William Howell, Robert C. Palmer, Charles Ripley, William L. Conklin, T. W. W. DeCourcey, David Irvine, James Sudduth, John Q. A. King, C. J. Walton—22. George T. Edwards, William C. Gilliss,

So the said bill was disagreed to.

Mr. Smith, from the committee on Circuit Courts, reported a bill to regulate the payment of expences of pauper lunatics, in their transmission to the Eastern and Western Lunatic Asylum.

Was read the first time and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed with, and the same being engrossed.

The question was taken on the passage of said bill, and it was decided in the negative.

So the said bill was rejected.

Mr. Blain, from the committee on County Courts, to whom was referred a bill from the House of Representatives, entitled, an act to increase the duties of Assessors, reported the same without amendment.

Mr. Sudduth moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Blain, from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to change the time of holding the August term of the Laurel quarterly court.

Reported the same without amendment.

Ordered, That said bill be recommitted to the committee on County Courts.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate, entitled, An act to amend the charter of the Danville, Dix river, and Lancaster Turnpike Road Company.

Mr. Irvine, from the committee on Enrollments, reported that the committee had examined an enrolled bill which originated in the Senate, entitled,

An act to amend the charter of the Danville, Dix river, and Lancaster Turnpike Road Company.

And bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Louisville and Frankfort Railroad Company

An act to authorize married women to convey real and other property under power of attorney.

An act to establish Equity and Criminal Courts in the 1st Judicial district.

An act supplemental to an act incorporating the town of May field.

An act to amend the charter of the Covington and Cincinnati Bridge Company.

Resolution in relation to furnishing the State charitable institutions with certain public books.

Resolution to extend the present session of the General Assembly.

And had found the same truly enrolled.

The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Irvine reported that the committee had performed that duty.

Bills from the House of Representatives of the following titles were severally read the first time, viz:

- 1. An act better to regulate the mode of working and opening roads in Boone county.
- 2. An act indemnifying in certain cases the owners of property in Louisville that may be injured, taken away, or destroyed by mobs.
- 3. An act to incorporate the town of Hazel Green.
- 4. An act to extend the boundary of the city of Henderson,
 - 5. An act to regulate the office of Clerk of the Court of Appeals.
- 6. An act extending the Mechanic's lien to the town of Lebanon, and Marion county.
- 7. An act to incorporate the Covington Building and Loan Association.
 - 8. An act to regulate the fees of Coroners.

9. An act to amend the charter of the Bank Lick Turnpike road Company.

10. An act to amend an act, entitled, an act to amend an act incorporating the town of Raywick.

11. An act for the benefit of the Trustees of the Methodist Episcopal Church South, in the county of Henry.

12. An act for the benefit of the Georgetown and Lemon's Mill turn-pike road.

13. An act for the benefit of the Methodist Episcopal Church South, at Alexandria.

14. An act declaring Contrary creek a navigable stream.

15. An act for the benefit of Rowan county.

Ordered, That said bills be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred, the 1st, 9th, 12th, and 14th to the committee on Internal Improvement; the 2d, 3rd, 4th, 6th, 7th, and 10th to the committee on the Judiciary; the 5th to the committee on the Court of Appeals; the 8th to the committee on County Courts; the 11th and 13th to the committee on Religion; and the 15th to the committee on Propositions and Grievances.

A bill from the House of Representatives, entitled, an act to amend the charter of the city of Augusta,

Was read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Irvine—1. A bill supplemental to an act, to incorporate the Kirksville Turnpike Road Company in Madison county.

On motion of Mr. Martin—2. A bill to incorporate the Prestonsburg Mining, Manufacturing, and Coal Company.

On motion of Mr. Bullock—3. A bill to incorporate the Kentucky Female Institute in Louisville.

On motion of Mr. McFarland—4. A bill to incorporate the State Mining, Manufacturing, and Building Company.

On motion of Mr. Silvertooth—5. A bill to incorporate and endow the Western Kentucky College in Fulton county.

On motion of Mr. Sudduth—6. A bill to amend the charter of the Kentucky Coal and Iron Company.

On motion of Mr. Barlow—7. A bill to incorporate a company to construct a turnpike road from Glasgow to Simpsonsville.

On motion of Mr. Edwards-8. A bill concerning the town of Morgantown.

On motion of Mr. King—9. A bill to incorporate the President and Board of Examination of Eddyville Female College.

On motion of Mr. Palmer--10. A bill to allow the Trustees of the Springfield Academy to sell the same, with the grounds attached thereto.

On motion of Mr. Gillis-11. A bill for the benefit of Aaron Johnson, sheriff of Laurel county.

On motion of Mr. Burton-12. A bill for the benefit of Willis Peck and wife.

On motion of same—13. A bill to incorporate the Ewing Female Institute.

On motion of same—14. A bill to amend the charter of the Central Kentucky Stock, Agricultural, and Mechanical Association.

Ordered, That the committee on Internal Improvement prepare and bring in the 1st and 7th; the committee on Agriculture and Manufactures the 2d, 4th, and 14th; Messrs. Bullock, Harris, and Sudduth the 3rd; the committee on Education the 5th, 9th, and 13th; Messrs. Sudduth, Wadsworth, and Kohlhass the 6th; Messrs. Harris, Bullock, and Hay the 8th; Messrs. Palmer, Hogan, and McFarland the 10th; the committee on Finance the 11th; and the committee on the Judiciary the 12th.

And then the Senate adjourned.

MONDAY, FEBRUARY 25, 1856.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, to-wit:

- 1. An act for the benefit of R. T. P. Allen, late Superintendent of the Kentucky Military Institute.
- 2 An act to incorporate the Millersburg Male and Female Collegiate Institute.
 - 3. An act for the benefit of Iron Masters in Lyon county.
 - 4. An act for the benefit of the trustees of the town of Princeton.
 - 5. An act for the benefit of P. W. Napier, late Sheriff of Casey county.

- 6. An act for the benefit of C. Osburn and others, to enable them to protect themselves against milk sickness.
 - 7. An act declaring Miller's creek a navigable stream.
- 8. An act for the benefit of the trustees of the town of Boston, Whitley county.
 - 9. An act for the benefit of the town of Calhoun.
- 10. An act giving certain authority to the Presiding Judge of the Greenup County Court.
- 11. An act for the benefit of James C. Edwards, Sheriff of Green county.
- 12. An act to change the time of holding the Quarterly Courts in the counties of Knox and Harlan.
- 13. An act to amend the law in relation to appeals from justices of the peace to Quarterly Courts.
- 14. An act to incorporate the Harrison county Agricultural and Mechanical Association.
 - 15. An act to incorporate the Kenton Agricultural Society.
- 16. An act to amend an act incorporating the Louisville Water Works Company.

Which were read the first time, and ordered to be read a second time.

The constitutional provision as the second reading of said bills being dispensed with, they were referred—the 1st to the committee on Military Affairs; the 2d to the committee on Education; the 3d, 14th, 15th, and 16th to the committee on Agriculture and Manufactures; the 4th, 8th and 9th to the committee on the Judiciary; the 5th and 11th to the committee on Finance; the 6th to the committee on Propositions and Grievances; the 7th to the committee on Internal Improvement; the 10th, 12th and 13th to the committee on County Courts.

- 1. Mr. Kohlhass presented the petition of A. B. Calef, treasurer, in relation to certain lost bonds.
- 2. By same—The petition of J. B. House and others, praying the passage of an act in relation to certain lost coupons.

Which was received, the reading dispensed with, and referred to the committee on the Judiciary.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. DeCourcey, from the committee on County Courts—A bill for the benefit of Thomas Terrill, of Ballard county.

By same—A bill to authorize the appointment of an additional commissioner for the Jefferson County Court.

By same—A bill to authorize actions between the county of Jefferson and the city of Louisville.

By same—A bill changing the time of holding the Shelby Quarterly

By same—A bill to provide for a place of voting in —— district in Bath county, instead of the Olympian Springs.

By same-A bill fixing the time of holding the court of claims in

Bath county. By same—A bill to authorize the clerk of the Grant County Court to purchase Deed Books A and B and transcribe the same.

By same—A bill regulating certain streets and buildings in the town of Williamsburg, and taxing certain buildings adjacent thereto.

By Mr. Hardin, on leave-A bill to amend the 21st section of an act, entitled, an act to incorporate the Elizabethtown Savings Institution and for other purposes, and to change the name of the Savings Institution of Harrodsburg to the Bank of Harrodsburg.

Which were severally read the first time and ordered to be read a

second time.

The constitutional provision as to the second and third readings of said bills being dispensed, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles were reported from the committee on County Courts, viz:

By Mr. DeCourcey-

An act for the benefit of justices' district, in Kenton county.

By same-

An act legalizing certain proceedings of the Calloway County Court.

An act regulating the application of moneys arising from the sales of vacant lands lying in Hart county.

An act to authorize the Trigg County Court to change the State road from Hopkinsville to Cadiz.

By same-

An act to change the time of holding the Owsley Quarterly Court.

By same-

An act to change the time of holding the August term of the Laurel Quarterly Court.

With an amendment to the last named bill.

Which was concurred in.

Ordered, That said bills, the last as amended, be read a third time. The constitutional provision as to the third reading of said bills being dispensed with,

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Resolved, That said bills do pass, and that the titles thereof be as aforesaid,

Mr. DeCourcey, from the committee on County Courts, reported a bill authorizing the county courts of this Commonwealth to lay a tax on dogs.

Which was read the first time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the several county courts of this Commonwealth (a majority of all the justices concurring) may, and they are hereby authorized to levy annually, and to collect as the other county levies are collected, a tax not exceeding one dollar on each dog, over one, owned or kept by any housekeeper in said county. The proceeds of said tax, of each year, to be applied to the lessening of the county levy or for the benefit of common schools in said county, as the County Court may order and direct; but each housekeeper in said county may own and keep one dog exempt from the tax hereby authorized. Every dog kept by any member of the family, white or black, of any such housekeeper, and on his or her premises, shall be considered, for the purposes of this section, as owned and kept by such housekeeper.

§ 2. This act to take effect from and after the last day of December, 1856.

Mr. Walton moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Walton and Stone, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, John S. Barlow, Nathaniel W. Collins, David Irvine, William L. Conklin, William C. Gilliss, James D. Hardin, Wiley S. Hay,

James D. Headley, Overton P. Hogan, John P. Martin, Daniel Matthewson, John S. McFarland,

Robert C. Palmer, George W. Silvertooth, W. H. Wadsworth, C. J. Walton, D. K. Weis, George Wright-19.

Those who voted in the negative, were-

Robert Blain, James F. Buckner, William C. Bullock, Jesse W. Burton, John A. Cavan,

T. W. W. DeCourcey, John Q. A. King, George T. Edwards, William T. Haggin, Samuel Howard, William Howell,

Charles Ripley, Shelby Stone, James Sudduth-14

So the said bill was rejected.

A message was received from the House of Representatives announcing that they had received official information from the Governor, that he had approved and signed enrolled bills which originated in that House, of the following titles, viz:

An act to transfer the title of certain lands to the trustees of the Bethel High School, at Russellville.

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An act for the benefit of Edmund M. Chestnut, of Laurel county.

Approved Feb. 23, 1853.

Mr. Weis, from the committee on the Library, made the following report which was read as follows, viz:

The committee on the Library, to whom was referred a resolution of the Senate, requiring them to take into consideration the propriety of purchasing the likeness of Henry Clay, now exhibited in the Senate chamber, beg leave to report that they had the matter underconsideration, and are of the unanimous opinion that it would be an unwise expenditure of money, for the reason that it is not a true portrait of the great Kentucky statesman.

D. K. WEIS,

Chairman Committee Library.

Ordered, That said report be placed in the orders of the day.

Mr. Weis, from a select committee, reported a bill to repeal all acts to license billiard tables.

Which was read the first time and ordered to be read a second time, as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all laws authorizing the establishment of billiard tables in this State be, and the same are hereby repealed.

Mr. McFarland moved to amend said bill by inserting after the word "tables" the words "and bowling saloons."

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Irvine and Weis, were as follows, viz:

Those who voted in the affirmative, were-

D. Howard Smith, Samuel Howard, Charles H. Allen, Shelby Stone, William Howell, John S. Barlow, James Sudduth, David Irvine, William C. Bullock, T. W. W. DeCourcey, Daniel Matthewson, W. H. Wadsworth, Tucker Woodson, John S. McFarland, William T. Haggin, George W. Silvertooth, George Wright-19. James D. Hardin, Overton P. Hogan,

Those who voted in the negative, were-

Robert Blain,
James F. Buckner,
Jesse W. Burton,
John A. Cavan,
Nathaniel W. Collins,
John L. Conklin,
George T. Edwards,
William C. Gillis,
Wiley S. Hay,
James D. Headley,
John Q. A. King,
Theodore Kohlhass,
C. J. Walton,
D. K. Weis—14.

Mr. Wright moved further the amend said bill by inserting after the word "saloons," the words "and Jenny Lind tables."

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Collins and Weis, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, Wiley S. Hay,
Overton P. Hogan, Robert Blain, William C. Bullock, William Howell. Jesse W. Burton, David Irvine. W. H. Wadsworth, George T. Edwards, Daniel Matthewson, Tucker Woodson, William C. Gilliss, John S. McFarland, George Wright—28. James D. Hardin,

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Samuel Howard,

George W. Silvertooth, D. Howard Smith, Shelby Stone, James Sudduth, John A. Cavan, Theodore Kohlhass, C. J. Walton,
Nathaniel W. Collins, John P. Martin, D. K. Weis,
George T. Edwards, Daniel Matthewson, Tucker Woodson,

Those who voted in the negative, were-James F. Buckner, William T. Haggin, John Q. A. King, William L. Conklin, James D. Headley, Robert C. Palmer-7. T. W. W. DeCourcey,

A message was received from the Governor, by Mr. Brown, Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

> EXECUTIVE DEPARTMENT,) February 25, 1856.

Gentlemen of the Senate and House of Representatives:

I herewith transmit a statement-

1. Of the Bank of Louisville and Branches. 2. Of the Bank of Kentucky and Branches.

3. Of the Northern Bank of Kentucky and Branches. 4. Of the Farmers Bank of Kentucky and Branches. 5. Of the Southern Bank of Kentucky and Branches. 6. Of the Commercial Bank of Kentucky and Branches.

7. Of the Deposit Bank of Paris. 8. Of the Central Bank of Kentucky

C. S. MOREHEAD.

[For accompanying statements—see Legislative Documents.]

Ordered, That the Public Printer print 150 copies of said message and accompanying documents, for the use of the General Assembly.

The Senate took up for consideration the amendment proposed by the House of Representatives, to an amendment of the Senate, to a bill from that House, entitled, an act repealing an act incorporating the town of Barboursville.

Which was concurred in.

Also, the amendment proposed by the House of Representatives, to an amendment of the Senate, to a bill from that House, entitled, an act to amend and reduce into one the several acts relating to the town of Princeton.

Ordered, That said bill and amendments be committed to the com-

mittee on the Judiciary.

Also, the amendment proposed by the House of Representatives, to a bill from the Senate, entitled, an act for the benefit of the heirs of Jacob Watson.

Which was concurred in.

Also, the amendment proposed by the House of Representatives, to a bill from the Senate, entitled, an act to incorporate the Hickman Building and Loan Association.

Which was concurred in.

The Senate according to order, took up for consideration a bill to prevent fraudulent assignments in trust for creditors, and other fraudulent conveyances, with the amendment proposed by Mr. Ripley, as a substitute for said bill.

Said amendment read as follows, viz:

§ 1. Every mortgage or assignment by way of security, or upon any condition whatever, of such goods and chattels as are held for sale or barter, or are consumed by their use, unless the same be accompanied by an immediate delivery, and be followed by an actual and continued possession of the things mortgaged or assigned, shall be fraudulent and void as against the creditors of the mortgagor or assignor, or subse-

quent purchasers in good faith.

§ 2. Every sale, mortgage or assignment which shall be made by debtor in contemplation of insolvency, and with the design to prefer one or more creditors to the exclusion in whole or in part of others, shall operate as an assignment and transfer of all the property and effects of such debtor, and shall inure to the benefit of all his creditors, except as hereinafter provided, in proportion to the amount of their respective demands, including those which are future and contingent; but nothing in this section shall vitiate or effect any mortgage made in good faith to secure any debt or liability created simultaneously with such mortgage, and lodged for record within thirty days after its execution.

§ 3. All such transfers as are herein declared to inure to the benefit of creditors generally, shall be subject to the control of courts of equity upon the petition of any person interested, filed within —— months after the recording of such transfer, or the delivery of the property or

effects transferred.

§ 4. Any number of persons interested may unite in the petition; but it shall not be necessary to make persons defendants, except the debtor and the transferee; and the suits and proceedings as to the mode of proving claims, and otherwise, shall be conducted as suits and proceed-

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ings for the settlement of the estates of deceased persons are now re-

quired to be conducted, so far as the same are applicable.

§ 5. The court may at any time pending the suit, and upon such terms as it shall deem proper, compel the transferee to surrender to a receiver of the court all the property and effects in his possession or under his control; and it may make such orders respecting the property as it may make concerning attached property. And when it is decided that a sale, mortgage or assignment was made in contemplation of insolvency, and with the design to prefer one or more creditors to the exclusion, in whole or in part, of others, the court shall compel the debtor to surrender to such receiver all property and effects in his possession or under his control, except such property as is exempt from execution, to disclose the amount of his debts, the names and residence of his creditors, all off-sets or defenses to any claim against him, or any other matter which shall be deemed proper-and the court shall also compel every person who shall acquire by purchase, assignment, or otherwise, any property or effects from such debtor, after the suit contemplated by this act shall be instituted, to surrender the same to such receiver.

§ 6. The court may make distribution of assets on hand, from time to time; and the decision of the court at the time of any distribution allowing or disallowing any claim, shall be held a final judgment and

may be appealed from as other final judgments.

§ 7. The court or judge, or the presiding judge of a county court, may grant against such debtor, in addition to the order of arrests now provided by law, a writ of ne excat, when it shall be made to appear by affidavit that such writ is necessary to secure the surrender or disclosures provided for herein.

§ 8. In the distribution of the assets of any debtor, as provided in section two, debts due as guardian or administrator, or executor, shall

have priority.

§ 9. This act shall take effect from and after July 1st, 1856.

Mr. Hardin moved to strike out the 1st section of said bill.

Mr. Wright moved the previous question.

And the qustion being taken, shall the main question be now put? it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Hardin, and it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Ripley, and it was decided in the affirmative.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Martin and Palmer, were as follows, viz:

Those who voted in the affirmative, were-

James F. Buckner,	William T. Haggin,	Theodore Kohlhass,
William C. Bullock,	James D. Hardin,	Daniel Matthewson,
Jesse W. Burton,	Wiley S. Hay,	John S. McFarland,
John A. Cavan,	Samuel Howard,	Charles Ripley,
William C. Gilliss,	John Q. A. King,	W. H. Wadsworth-15.

Those who voted in the negative, were-

Charles H. Allen,	James D. Headley,	George W. Silvertooth,
John S. Barlow,	Overton P. Hogan,	Shelby Stone,
Robert Blain,	William Howell,	James Sudduth,
Nathaniel W. Collins,	David Irvine,	C. J. Walton,
William L. Conklin,	John P. Martin,	D. K. Weis,
George T. Edwards,	Robert C. Palmer,	George Wright—18.

Mr. Hogan moved a re-consideration of the vote rejecting said bill And the question being taken thereon, it was decided in the affirmative.

Ordered, That the further consideration of said bill be postponed until the 26th inst., at half past ten o'clock, A. M.

The Senate took up for consideration a bill from the House of Representatives, entitled, an act supplemental to an act to incorporate the Bank of Harrodsburg Kentucky, together with the amendments heretofore proposed by Messrs. King and Allen.

[For bill and amendments—see Journal of the 22d inst.]

And the question being taken on the adoption of the amendment proposed by Mr. Allen, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Hogan and Howard, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen,	James D. Hardin,	John P. Martin,
	Wiley S. Hay,	Shelby Stone,
William C. Bullock,	James D. Headley,	James Sudduth,
Nathaniel W. Collins,	Overton P. Hogan,	C. J. Walton,
William L. Conklin,	Samuel Howard,	D. K. Weis,
T. W. W. DeCourcey.	John Q. A. King,	George Wright-19.
William C Gillia		

Those who voted in the negative, were-

Robert Blain,	William Howell,	John S. McFarland,
James F. Buckner,	David Irvine,	Robert C. Palmer.
Jesse W. Burton,	Theodore Kohlhass,	W. H. Wadsworth-11
William T. Haggin.	Daniel Matthewson	

The question was then taken on the amendment proposed by Mr. King, and it was decided in the affirmative.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Walton and Weis, were as follows, viz:

Those who voted in the affirmative, were-

Nathaniel W. Collins,

Charles H. Allen, T. W. W. DeCourcey, Robert C. Palmer, John S. Barlow, William C. Gilliss, Shelby Stone, Robert Blain, William T. Haggin, James Sudduth, William C. Bullock, James D. Hardin, D. K. Weis, Jesse W. Burton, John Q. A. King, George Wright-16.

Those who voted in the negative, were-

James F. Buckner, William L. Conklin, Overton P. Hogan, Samuel Howard,

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David Irvine, Theodore Kohlhass, John P. Martin, C. J. Walton—12.

William Howell, Daniel Matthewson, John S. McFarland,

The Senate took up the bill to incorporate the Merchants' Deposit Bank of Danville.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That there is hereby established the Merchants' Deposit Bank of Danville, with a capital of one hundred thousand dollars, in shares of one hundred dollars each, to be subscribed and paid for by individuals, companies, and corporations, in the manner hereinafter specified, which subscribers and shareholders, their successors and assigns, are hereby created a body politic and corporate, by the name and style aforesaid, and shall so continue a body politic and corporate, until the first day of June, 1885, and by that name, under the restrictions hereinafter prescribed, shall be competent to contract and be contracted with, to sue and be sued, to plead and be impleaded, answer and be answered, defend and be defended, in all courts and places, and in all matters whatever, as natural persons; with full power to acquire, hold, possess, use, occupy and enjoy, and the same to sell, convey and dispose of all such real estate, goods, effects and chattles, as shall be convenient for the transaction of its business, (provided the value thereof shall not exceed \$10,000,) or which may be conveyed to said institution as surety for any debt, or which may be received in discharge of any debt, or purchase in satisfaction of any judgment or decree in its favor, or in the purchase of any property on which it may have a lien; and said institution may have and use a common seal, change, alter and renew the same at pleasure, and may ordain and put in execution such by-laws, rules and regulations, for the government of the same, as may be deemed necessary: Provided, They be not contrary to the constitution and laws of this State, or the United

§ 2. That the business of said institution shall be to receive money on deposit, on which it shall pay interest to the depositor, of not mo e than six per cent., nor less than two per cent. per annum, as it may

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choose, dependent on the length of time for which said deposit may be made; to loan money, discount promissory notes and bills of exchange; the promissory notes made payable to any person or persons or order, or payable to this institution or order, and negotiable and payable at their banking house, or at any bank or office of discount and deposit, or branch of any bank, and indorsed to, and discounted by, said institution, shall be and they are hereby put on the same footing as foreign bills of exchange, and remedy may be had jointly and severally against the drawers and indorsers, and with like effect, except as to damages, and except, that in a regular course of administration, they shall have no other or greater dignity or priority of payment than other notes; and the said institution shall not, directly or indirectly, deal or trade in any thing, except loaning of money, and exchange, and in gold or silver coin and bullion, or in the sale of goods, chattels, rights, and credits, really and truly pledged for money lent, and not redeemed in time, or goods which shall be the proceeds of its

§ 3. The institution shall not, at any time, owe, either by bond, bill, note, or other contract, an amount exceeding twice the amount of capital stock actually paid in, exclusive of snms due on deposit; and, in cases of excess, the president and directors, under whose administration the same shall have taken place, shall be liable for any and all the debts of said institution, in their individual capacities, by joint and several actions of debt against them, in any court having jurisdiction

thereof, by any creditor of the same.

§ 4. Said institution shall not, at any time, fail or refuse to pay its deposits in gold or silver, or currency of the like kind and value of that deposited; and in case the officers, in usual business hours, at their banking house, shall refuse or unreasonably delay payment, as aforesaid, then demandable by any person entitled to receive the same, said institution shall be liable to pay damages at the rate of twelve per cent. per annum on the amount thereof, from the time of such failure, refusal or delay until payment thereof; and, for such failure or refusal, or for any violation of this charter, the same shall be forfeited and a scire facias shall be sued out in the name of the commonwealth, by the attorney general, and such proceedings be had as to declare such forfeiture by the judgment of a court; and from and after such judgment, said corporation shall cease to exercise any of the powers and privileges hereby granted: Provided, Said forfeiture shall not prevent said institution from suing and being sued, and continuing its operations for the purpose of closing its concerns, nor from making any contract that may be convenient and proper for that purpose.

§ 5. That the real and personal estate, business, property, funds and prudential concerns of said institution, shall be under the direction and control of five directors, who shall be stockholders, and after the first election shall have been stockholders at least three months previous to their election. They shall be residents of this State, and citizens of the United States, and after the first election they shall be elected annually on the first Monday in May. They shall hold their offices for one year, and until their successors shall be chosen. All elections after the first shall be conducted by at least two of the stockholders,

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acting under oath, appointed by the directors. The stockholders, so appointed, shall give at least thirty days notice of the time and place of the election. The election shall be by plurality of votes, to be counted and read in public after they are taken. No director or officer in any bank shall be eligible as director in this institution; and if the president, or any director, or officer of the institution shall fail, or become insolvent after his election or appointment, he shall become incapable to serve until his debts are paid, or he receives a full discharge from the same. If, from any cause, an election should not be held on the day fixed by this charter, it shall be the duty of the board to give notice immediately, as before required, that an election will be held on the first Monday in June following; and said election shall be conducted as required in the regular elections.

§ 6. That in all meetings of the stocdholders, and at all elections under this charter, each shareholder shall be entitled to one vote for every share held in his own right up to twenty, one vote for every ten shares over twenty, and one vote for every twenty shares over fifty. Any stockholder entitled to vote may do so by person or proxy, such proxy being granted to a person who is not either president or director in said institution.

§ 7. That the directors shall elect one of their own number as president, who shall preside at all meetings, and in case of a vacancy the residue of the directors shall elect a president pro tem. They shall fill all vacancies that may occur in their own body, and appoint such officers, clerks and servants as deemed expedient, fix their compensation, define their powers, and prescribe their duties, and shall require of them such bonds, penalties and securities as deemed requisite for the security of the institution; which bond shall be examined at least once a year, and be renewed from time to time so as to secure the institution from loss; and all such officers shall hold their places during the pleasure of the board.

§ 8. The president and directors (any three of whom may constitute a quorum for the transaction of business) may, from time to time, make such by-laws, rules, and regulations for the government of the institution as deemed expedient, not contrary to the provisions of this charter, nor the by-laws and rules which the stockholders, at their annual meetings from time to time, prescribe.

§ 9. The president and directors shall hold stated meetings at least once a week, and called meetings may be held whenever deemed necessary. All questions before the board shall be taken viva voce; and the yeas and nays on any proposition submitted, shall be entered for record at the request of any two members; and no vote shall be re-considered when a less number is present than when the vote was given.

§ 10. It shall be the duty of the president, on the first day of July in every year after the institution shall commence operations, to pay to the Treasury of this State fifty cents on each one hundred dollars of stock held and paid for in said institution; which shall be in full of all tax and bonus going to the State.

§ 11. That it shall be the duty of the president and directors, and they are hereby required, as often as once every three months, to cause

strict examination to be made of the cash and cash accounts of the institution, and a full and complete statement shall be made out and entered on the journals of the board.

§ 12. That it shall not be lawful for the cashier, clerks, or tellers of said bank, either directly or indirectly, to engage in or carry on any other business than that of said institution, without special leave of the president and directors; nor shall either of them become indebted to the same, either as borrower, indorser, surety, or otherwise.

§ 13. That if the cashier, clerks, teller, agent, or other officer of said bank, without the authority of the president and directors, shall appropriate any of the funds of said corporation to his own use, or that of any other person, or shall wilfully fail to make correct entries, or shall knowingly make false entries on the books of the institution, with intent to cheat or defraud the corporation or any other person, to hide or conceal any improper appropriation of the funds, the officer so offending, shall be deemed guilty of felony, and shall, upon conviction thereof, be sentenced to confinement in the jail and penitentiary house of this Commonwealth, for a period of not less than two, nor more than

twenty years. § 14. The president and directors shall keep a record of their proceedings, which they shall produce to the stockholders, when by them demanded, at any regular meeting, and they shall be open to inspection by the Governor, or by any person duly authorized by him, or to

any committee appointed by the Legislature.

§ 15. It shall be the duty of the president and directors, during the first week of each session of the Legislature, to transmit to the Secretary of State, an accurate and just statement of the condition of the institution, which statement shall exhibit the amount of stock, the value of real estate belonging to the institution, the amount of debts due to and from the same, the amount of gold and silver on hand, the amount of deposits, the amount of bills of banks, the amount of notes and bills of exchange due the bank; which statement shall be laid before the Legislature by the Governor; and they shall, when required by the Legislature, report all bad and doubtful debts.

§ 16. The president and other officers, before entering upon the discharge of their duties, shall take an oath before some "justice of the peace," to honestly, faithfully, and truly perform all the duties of their respective offices under this charter, or which may be required of them

by the by-laws and regulations of the corporation.

§ 17. This institution shall not contract for nor receive a greater rate of interest than at the rate of six per cent. per annum, for the loan or use of money; and interest on promisory notes, negotiable and payable at the same, and there discounted, shall be calculated on the true time such notes have to run, including three days of grace, and shall be paid in advance and on banking principles, in conformity with Rowlett's tables of discount and interest.

§ 18. The president and directors shall issue certificates of stock to the holders thereof, for so much as shall be paid for, and the shares of the capital stock shall be considered and held in law as personal property, and assignable and transferable only in such manner and at such place as the president and directors, by their by-laws, may require.

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Certificates of deposit shall be obligatory on said institution, and shall be transferable and assignable when made payable to order.

§ 19. The general meeting of the stockholders shall be held annually, on the first Monday in May in each year, in the town of Danville, at the time of the annual election; to which meeting the president and directors shall present an accurate statement of the condition and affairs of said institution; and general meetings of the stockholders may be called as provided in this charter, or by the president and directors when they may deem it advisable.

§ 20. The Legislature shall have the right to investigate the situation and affairs of said institution, by any committee they may appoint for that purpose, and the Franklin circuit court shall have jurisdiction to try the forfeiture of said charter, for the violation of any of the provisions of the same. The proceedings shall be by petition, alleging and specifying the acts of forfeiture relied on, and shall be sued only at the instance of the Attorney General, when directed to do so by the Legislature.

§ 21. That Jesse W. Burton, George F. Lee, William A. Downton, Jeremiah T. Boyle, T. P. Young, Robert Blain, Jehu Harlan, A. H. Sneed, R. W. Washington, W. C. Anderson, Joshua Dunn, Christian Engleman, Theodore R. Dunlap, W. L. Tarkington and Jno. Tompkins, are hereby constituted commissioners to open books and receive subscriptions, and open books for the capital stock of said institution, and to superintend the first election of directors; any three of whom shall be competent to exercise the powers and perform the duties required by this section.

§ 22. The said commissioners shall have power, and are hereby authorized, on the second Monday in April next, or at such other time within two years thereafter as they shall deem expedient, having given not less than thirty days notice thereof in some newspaper published in Danville, to open books for the subscription of stock, and at such other places as they may deem advisable, and shall cause said books to be kept open from ten o'clock, A. M. to two, P. M., for at least five days, or until five hundred shares shall have been subscribed, when the same may be closed.

§ 23. That when not less than five thousand dollars of the capital stock shall have been taken, and the commissioners shall have closed the books, it shall be their duty to give notice in some newspaper published in Danville, and appoint a day for the election of the first board of directors, who shall hold their offices until the succeeding annual election, and not less than thirty, nor more than sixty days notice shall be given of the time and place of electing said board, and at least three of said commissioners shall act as inspectors of said election, and shall take the proper oath and perform all the duties of inspectors of elections in like cases.

§ 24. That the payment of the shares of the capital stock held by individuals, companies and corporations, shall be made in gold or silver, or notes of either of the banks or branch banks of this State, and at the time and in the manner following: five dollars on each share to the commissioners at the time of subscribing, and the remainder

at such times as the president and directors may determine and re-

§ 25. That should any of the subscribers to the stock of said institution fail, or refuse to pay for the stock as herein provided, the president aud directors, first giving notice in two or more newspapers for thirty days, by resolution entered on their records, may forfeit such stock, and proceed, at such time as they may deem expedient, to re-sell the same; and all partial payments made on stock which shall be forfeited,

shall be held for the benefit of the institution.

§ 26. That so soon as five thousand dollars of the capital stock shall have been paid in by individuals, companies, or corporations, as heretofore required, the president and directors shall cause the Governor to be notified thereof, who is hereby authorized to appoint some suitable person to count the money so paid in, and take the oath of the president, and at least two of the directors, that the same has been paid in as capital stock bona fide, and make due return thereof to him, and on such appearing to be the fact, the Governor is authorized to issue his proclamation, that the amount hereby required to be pain in and in the funds required, has been done, and that said institution is authorized to commence operations.

§ 27. That it shall not be lawful for the president or any one of the directors to become bound as security, or accommodation indorser on any note or bond discounted in said institution, and a violation of the provisions of this section shall subject the person violating the same to a penalty of one thousand dollars to be recovered by action of debt

in the name of the corporation, for its own use and benefit.

§ 28. That said institution shall not make any loan of money, or discount any note or bill, in any case whatever for the purpose of enabling any individual to make payment for its own stock; and no stockholder shall be permitted to pay any debt he may owe the same by the surrender of stock; and stockholders who shall become indebted to the institution shall be compelled to pay their debts in all respects as other persons dealing with the same; nor shall any stockholder be allowed to make payment of the shares of stock held by him by means of loan or loans obtained from the institution.

§ 29. That the real estate purchased by this institution, or the legal title of which shall be acquired in any way (except such as may be held for the purposes mentioned in the first section in this act) shall be sold within five years after it shall have perfected its title thereto, and on their failure to comply with the provisions of this section, the same

shall vest in the commonwealth.

§ .30 That it shall not be lawful for said institution to issue any note or bill to be passed and used as currency, and if it shall presume to do so, the charter shall be forfeited, as provided for in the fourth section of this act.

§ 31. This act shall take effect from its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Martin and Walton, were as follows, viz:

Those who voted in the affirmative, were-

John Q. A. King, William L. Conklin, Charles H. Allen. T. W. W. DeCourcey, Theodore Kohlhass, John S. Barlow. William T. Haggin, John S. McFarland. Robert Blain. Shelby Stone, James F. Buckner, James D. Hardin, James Sudduth, William C. Bullock, Wiley S. Hay, W. H. Wadsworth, James D. Headley. Jesse W. Burton, D. K. Weis-21. Nathaniel W. Collins, David Irvine,

Those who voted in the negative, were-

George T. Edwards, John P. Martin, C. J. Walton, Samuel Howard, Daniel Matthewson, George Wright—7 William Howell,

Resolved, That the title thereof be as aforesaid.

The Senate took up for consideration the bill fixing the time of holding the Chancery and Criminal Courts in the first judicial district. Said bill was then amended.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration a bill from the House of Representatives, entitled, an act to amend the law respecting trespasses upon land.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That if any person or persons shall wilfully toll or feed stock upon the lands of another or shall cause the same to be done for the purpose of using them to said lands, he shall be liable to be indicted therefor, and upon conviction thereof, shall be fined not less than five nor more than five hundred dollars, in the discretion of a jury.

§ 2. This act shall be in force from and after its passage.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was taken on the passage thereof, and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Hay and Sudduth, were as follows, viz:

Those who voted in the affirmative, were—
William C. Gillis, Shelby Stone, James Sudduth—3:

Those who voted in the negative, were-

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Charles H. Allen, John S. Barlow, Robert Blain, James F. Buckner, William C. Bullock, Jesse W. Burton, Nathaniel W. Collins, William L. Conklin, T. W. W. DeCourcey,	George T. Edwards, William T. Haggin, James D. Hardin, Wiley S. Hay, Overton P. Hogan, Samuel Howard, David Irvine, John Q. A. King, Theodore Kohlhass,	John P. Martin, Daniel Matthewson, John S. McFarland, Robert C. Palmer, George W. Silvertooth, W. H. Wadsworth, C. J. Walton, D. K. Weis, George Wright—27.

So the said bill was disagreed to.

The Senate took up for consideration the amendment proposed by the House of Representatives, to a bill from the Senate, entitled,

An act to authorize the sale of certain alleys in Prestonsburg, Floyd county.

Which was concurred in.

The Senate took up for consideration a resolution in relation to the Hermitage.

Which was twice read and adopted.

The Senate took up for consineration the resolution from the House of Representatives, in relation to the removal of the seat of govern-

Said resolution read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a committee of five on the part of the House of Representatives, and three on the part of the Senate, be appointed whose duty it shall be to inquire into the expediency of removing the seat of government from Frankfort to the city of Louisville; and to enquire, by correspondence or otherwise, as to the terms which can be made for the removal of the same to the said city of Louisville, and what would be the cost or charges to the commonwealth of Kentucky.

Mr. Hardin moved to amend said resolution by striking out the words "the city of Louisville," and inserting in lieu thereof the words "the town of Harrodsburg."

Mr. McFarland moved to lay said resolution and amendment on the

And the question being taken thereon, it was decided in the nega-

The yeas and nays being required thereon by Messrs. Gilliss and Allen, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, John S. Barlow, James F. Buckner, David Irvine, William C. Bullock, John A. Cavan,

George T. Edwards, Overton P. Hogan, John Q. A. King, Theodore Kohlhass, Daniel Matthewson, John S. McFarland, George W. Silvertooth, W. H. Wadsworth, D. K. Weis-15.

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Those who voted in the negative, were-

William T. Haggin, Robert Blain, John P. Martin. Jesse W. Burton, James D. Hardin. Robert C. Palmer. Nathaniel W. Collins, Wiley S. Hay, Shelby Stone. James D. Headley, William L. Conklin, James Sudduth, T. W. W. DeCourcey, Samuel Howard, C. J. Walton, William C. Gilliss, William Howell, George Wright-18.

Mr. DeCourcey moved to amend said resolution by striking out the words "the city of Louisville."

And the question being taken thereon, it was decided in the affirmative.

Mr. Stone moved the following amendment as a substitute for said resolution.

Which is as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a committee of two on the part of the Senate, and three on the part of the House of Representatives, be appointed by the Speaker of each branch of the General Assembly, whose duty it shall be to inquire into the expediency of removing the seat of Government from Frankfort to some other more eligible point in the State, and report to the next General Assembly their opinion, both as to the practicability and expediency of a removal as well as the best point for its subsequent location.

Mr. Irvine moved to lay said resolution and amendments on the table. And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Irvine and Stone, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen. George T. Edwards, John S. McFarland. John S. Barlow. Overton P. Hogan, Robert C. Palmer, Robert Blain, Samuel Howard, George W. Silvertooth. James F. Buckner, David Irvine, D. Howard Smith, William C. Bullock, John Q. A. King, W. H. Wadsworth, John A. Cavan, Theodore Kohlhass, D. K. Weis, T. W. W. DeCourcey, Daniel Matthewson, Tucker Woodson-21

Those who voted in the negative, were-

Jesse W. Burton, James D. Hardin,
Nathaniel W. Collins,
Wiley S. Hay,
William L. Conklin,
William C. Gilliss,
William Howell,
William T. Haggin,
James D. Headley,
William Howell,
George Wright—14.

The Senate took up for consideration the resolution from the House of Representatives, in relation to printing report of the State Geologist.

Ordered, That said resolution be referred to the committee on the Geological Survey.

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The Senate took up for consideration the preamble and resolution from the House of Representatives, in relation to the bill in favor of the Soldiers of the Revolutionary war, introduced into the Senate of the United States by Senator Evans, of South Carolina.

Which were twice read and concurred in.

The Senate took up for consideration a bill from the House of Representatives, entitled,

An act to amend and reduce into one, all the acts concerning the town of Bowlinggreen.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That that portion of Warren county known by the name of Bowlinggreen, and included in the following boundary and description, viz: on the north-west side, by a line coincident with the north-west side of Clay street, being the fifth street from the Court House; on the south-west side by a line parallel with Plain street, and distant therefrom twenty-six hundred and seventy feet, and four hundred and twenty feet south-west from the second street, lately laid off by Covington's heirs, as an addition to the town; on the south-east side by a line parallel with, and four hundred and twenty feet south-east of the third street, in Skiles' enlargemet, being the fourth street in that direction from the Court House; on the north-east side by a line coincident with the north-east side of Perry street, in Moore's river addition to said town, said four lines being continued until they intersect each other, with all additions to said town laid off in town lots and streets, outside of the above boundary, that have been regularly added thereto by order of the County Court, and now recognized as in town, together with a square half acre lot, adjoining lot number one hundred and twenty-four and fronting on Clay street, including the dwelling-house of Samuel Stubbins, formerly John B. Helm's, shall be, and is hereby declared to be the town of Bowlinggreen, and as such, by that name, shall be capable in law of contracting and being contracted with, of suing and being sued, of answering and being answered, in all matters whatever, and in all courts and places.

§ 2. That the fiscal, prudential, and municipal concerns of said town; with the government thereof, shall be vested in one principal officer, to be styled the Chairman of the Board of Trustees, and six Trustees, who shall be elected on the first Saturday in December, in each year, in the manner hereinafter prescribed, and shall hold their offices until their successors have been duly qualified; all of whom shall be freeholders, and shall have resided in said town one year next preceding

their election.

§ 3. That, on the first Saturday in December, in each year, there shall be an election held by two judges, appointed by the board, from their number, and a clerk, for a chairman, and six trustees, and for a police judge, and a marshal, who, as well as the chairman and trustees, shall have resided in said town one year next preceding their election. All free white male persons over twenty-one years of age, who shall have, bona fide, resided in said town for six months next preceding the , .

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time of the election, or shall at that time be owners of real estate therein, and who shall have paid their taxes for the current year and all arrearages due for tax or otherwise, shall be entitled to vote, naming the persons for whom they vote as chairman, trustees, police judge, or marshal.

§ 4. The board of trustees shall have power every year, sixty days previous to the annual election in such year, to lay the town off into two or more wards, to be as nearly equal in population and improvement as may be practicable, out of each of which may be elected an equal proportion of trustees, to reside therein, by the persons entitled to vote in the respective wards. Notice shall be given in some newspaper printed in said town, or at two or more public places therein of the place at which the election is to be held in each ward. Judges and clerks appointed as directed in the third section, shall hold the elections in the different wards at the same time and close at the same hour. They shall give to the persons receiving the highest number of votes as trustees certificates of their election. The judges and clerks of the different wards shall, on the Monday following the election, meet and deposit the poll-books with the clerk of the board, who, in their presence, shall add up the polls and give to the persons receiving the highest number of votes for chairman, police judge and marshal a certificate of their election.

§ 5. The chairman, trustees, police judge, marshal, and all officers appointed by the board, before entering upon the duties of their respective offices, shall take an oath to support the Constitution of the United States and of the Commonwealth of Kentucky, and to discharge the duties of their respective offices to the best of their ability so long as they continue in office The chairman, police judge, and marshal shall be sworn before a justice of the peace; the chairman may administer the oath to each of the trustees and to all officers appointed by the board.

§ 6. The chairman, trustees, police judge, marshal and all officers appointed by the board shall reside and keep their offices within the limits of said town, during their continuance in office. Three months absence from said town by the chairman or either of the trustees or any officer in said town, shall vacate the office of such absentee by a resolution to that effect, adopted by the whole number of remaining trustees; and another may, in such case, be elected by the board of trustees in his stead; and said board may fill all vacancies occurring by resignation or death in the board, or in any of the offices of said town.

§ 7. All the officers of said town shall be vigilant and active in causing the laws and ordinances to be duly executed. The chairman when present shall preside at the meetings of the board, and give the casting vote when there shall be a tie; he shall call the board to order, and convene the same when he may think proper. He shall countersign all orders of the board signed by the clerk; he shall report all improper conduct of the officers appointed by the board to the board in session, who shall have the power to remove them by resolution entered upon their journal. He shall have the care and superintendence of the public property of said town and shall perform such other duties as the board may think proper to impose on him as the chief executive officer

of the town. Whenever the board shall require the revenue of the town to be deposited in bank, to the credit of the chairman, he shall be required to execute bond to said town in an adequate penalty, conditioned that he will faithfully pay over and account for all moneys that

may come to his hands or be placed to his credit as chairman.

§ 8. The chairman may be compensated for his services out of the funds of the corporation, to be fixed by the board of trustees, exclusive of the chairman. He may, with the advice and consent of a majority of the trustees, remit any fine, penalty or forfeiture incurred or imposed by any law or ordinance of the town, and discharge from the workhouse or jail any person therein confined for violation of such law or ordinance, but such remission of fine or discharge from imprisonment shall be on condition of payment of costs; and if not made so conditional said costs shall be paid out of the town treasury.

§ 9. The regular meetings of the board shall be held on the third Monday in each month throughout the year. Four of the trustees shall be capable of doing business in session. The board shall have the power to enforce the by-laws and inflict penalties, not exceeding two dollars, on any member for non-attendance at any one meeting, to be

applied for stationery, lights and fuel for the board.

§ 10. The board of trustees shall appoint a clerk, whose duty it shall be to preserve the books, papers, records and everything belongto the office, and to deliver the same to his successor in office on application being made therefor. He shall keep a regular journal of the proceedings of the board and a correct account of the fiscal concerns thereof; he shall record all the acts, resolutions and orders of the board; he shall take all bonds and agreements between the board and other persons; he shall furnish attested copies of all acts, resolutions and orders passed by the board, when required to do so by persons entitled to demand the same; he shall draw his orders on the treasurer or chairman for all sums of money due to persons on claims allowed by the board or on the bonds of said town on the application of the holders; and on the return of the assessor's lists to the board, and the assessment of the taxes thereon, he shall hand over one of said lists, together with the order fixing the rate of assessment, to the collector, taking his receipt therefor. He shall be required to give bond in an adequate penalty to be fixed by the board, conditioned for the faithful discharge of the duties of his office.

§ 11. The board of trustees may receive conveyances, or the consent in writing of the propietors of lots or lands within the town, for the purpose of locating new streets or alleys, or extending any of the streets or alleys to the limits thereof; and on receiving the same, may direct such street or alley to be extended or opened, and when they shall deem it proper to have any new street or alley opened or any of the streets or alleys of said town extended in part or to the limits thereof, they shall petition the Warren Circuit or County Court, or the Bowlinggreen Police Court, stating the street or alley they wish opened or extended, and the names of the owners, if known, of the lots and lands through which they desire to have such street or alley opened or extended, and the with thereof, and thereupon the court shall order a summons to issue for such owners to appear on some convenient 11

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day of that or some subsequent term, to show cause why such street or alley shall not be opened or extended, which summons shall be executed on such owners if in the country, if not, on their agents if known, and on the return of the summons executed, or the return of "no inhabitant and no known agent," and no one appearing, the court shall order the street or alley to be opened or extended; and if any one or more of such persons shall appear, they shall have a right to claim a writ of ad quod damnum, which the court shall award, directed to the proper officer, to be executed as other writs of that nature for opening roads; and on the return of the writ executed the court shall order the board to pay the damages assessed, and shall order the street or alley to be opened or extended. The board shall have full power and authority to cause all streets and alleys to be opened and cleared of all obstructions, by the infliction of suitable fines and penalties: Provided, however, That the board shall have power at any time before the final order or decree to dismiss their petition, which shall not prevent their again instituting proceedings for opening such street or alley at any time after one year from said dismissal.

§ 12. The board of trustees shallh ave full power and authority (two-thirds of the whole number of trustees concurring) to cause all the streets and alleys or any of them, or any part or portion of them, in said town now established, or hereafter to be established, to be graded,

paved, turnpiked, gravelled or otherwise improved.

§ 13. The board of trustees shall have full power and authority to cause the side-walks, or any part or portion of them in said town, to be curbed and paved with stone or bricks, and when so done, to be kept in good repair, and to assess the costs and expenses of such curbing, grading and paving or repairs adjacent to any lot or part of lot against the owner of the lot or part of lot fronting thereon; and to secure the payment of said costs and expenses, a lien is hereby given on said lots or parts of lots. Said costs and expenses may be listed as taxes with the collector of said town and, by him, collected as other taxes, who shall have power to sell and convey said lots and parts of lots, or so much thereof as may be necessary, in the same manner that real estate in said town may be sold for taxes: Provided, That infants, feme coverts, and persons of unsound mind shall have five years, after their several disabilities are removed, to redeem the same.

§ 14. The board of trustees shall have power and authority to cause said town to be supplied with water by sinking wells, constructing cisterns, placing pumps therein and keeping the same in repair at the ex-

pense of the town.

§ 15. The board shall have power to organize a fire department for the extinguishment of fires that may happen within said town, to provide engines and other apparatus for that purpose, and to appoint a suitable number of able-bodied men, not exceeding forty to each engine, who shall be exempted from serving on juries, and doing militia duty in time of peace, and from paying the poll-tax authorized to be levied by this act, during the time they are attached to said engines; the said firemen to be appointed for any time that the board shall ordain, and be discharged by them at pleasure, and the board also shall have power to pass all necessary ordinances to punish any inhabitant

of said town for non-attendance, or disorderly or improper conduct

of said town for non-attendance, or disorderly or infiduring the time of fire.

§ 16. The board are authorized and empowered to appoint inspectors of flour, tobacco, whisky, beef, pork, butter and lard for exportation, to provide against fraud therein, and to pass such ordinances as shall be necessary to effect the purposes contemplated by this section, and to punish breaches thereof. They shall also have power to appoint a health officer, and to establish regulations which may be necessary and proper to prevent the introduction of small-pox or other contagious diseases into the town, and to eradicate such disease when it shall have made its appearance therein: Provided, That they shall not establish any regulation inconsistent with the constitution and laws of the State; nor shall anything herein be deemed to prevent the Legislature from changing, by law, any regulation which may be made on this subject by said board or in relation to inspections, nor to restrict the power of the County Court of Warren

§ 17. The board shall have power to erect or procure a suitable building for a workhouse, in which shall be confined vagrants, and all persons who may be sentenced for short periods to confinement by the Bowlinggreen Police Court, or by justices of the peace within said town, for breaches or disturbances of the peace, or for petty offences, when they shall be employed in labor and made to perform such tasks as shall be directed by the ordinances of said town. Persons committed to the workhouse shall be sent there by warrent, either of the Bowlinggreen Police Court or of justices of the peace as aforesaid, and discharged by the overseer on the expiration of the time for which they were sentenced. All ordinances necessary to carry this section into effective operation, not repugnant to the laws of this State or of the United States, may be made and enforced by the chairman and board of trustees.

§ 18. The board shall have power to pass ordinances regulating the introduction of gunpowder for sale into said town, and the storing of the same therein, and they may enforce compliance with such ordinances by suitable penalties, in addition to the forfeiture of the powder introduced or stored in violation thereof.

§ 19. The board shall have the exclusive right to regulate the sale of spirituous liquors within said town. They shall also have the right to tax, and the exclusive right to license, all taverns, houses of private entertainment, grocers, victuallers, confectioners, and houses of public resort, except gambling houses and houses of ill-fame in said town; but tavern-keepers and vendors of spirituous liquors shall still be liable to pay any revenue tax now required by the laws of the State to be paid, and no license shall be granted whereby spirituous liquors or wines may retailed, except to a tavern-keeper upon the payment of fifty dollars at least

§ 20. They shall have power and authority, two-thirds of the trustees concurring, to suspend, either indefinitely or for a limited period, any license which they may grant, or which may have been granted to a tavern-keeper, whenever they shall be satisfied that said tavern-keeper has permitted any unlawful gaming in his house, or has permitted any disorderly or indecent conduct to be practiced or committed in his house

or has permitted any person or persons to tipple or drink to intoxication therein: *Provided*, *however*, That no license shall be suspended until the said tavern-keeper shall have had at least five day's previous notice, and has been permitted to show cause, if any he can, why his license should not be suspended. If any person, whose license shall have thus been suspended by said board, shall afterwards sell by retail any spirituous liquors or wines, he shall be deemed guilty of keeping a tippling-house.

§ 21. The board shall have power to suppress, by ordinance with suitable penalties, all tippling-houses, bawdy houses and houses of ill-fame, all retailing of spirituous liquors and wines, all riots, breaches of the peace, disorderly or indecent conduct, vagrancy, disturbances of religious worship and disturbances of the peace and tranquility of the town. They shall also have power, whenever the public convenience or safety shall, in their opinion, require it, to prohibit hogs and other animals from running at large in the streets, alleys, commons and other public places in said town, and to require and compel the abatement and removal of all nuisances within the limits of said town, under such regulations as shall be prescribed by ordinance.

§ 22. The board may by ordinance prohibit slaves from hiring their own time within said town, and on conviction of a violation of such ordinance, said slaves may be confined at labor in the town workhouse or on the streets, or hired out three months: Provided, That the master or mistress or hirer of such slaves, shall first be summoned to show cause, if any they can, why such slaves should not be confined or hired out as aforesaid.

δ 23. The marshal may, with the consent of the board, appoint a deputy; he shall, by himself or deputy, attend all the sessions of the chairman and trustees, and of the police court, and preserve order under his or their direction; he shall, by himself or deputy, execute all process emanating from the Bowlinggreen Police Court; he may be appointed town collector of taxes, and shall be entitled to receive the same fees and commissions that constables are allowed for similar services; he shall execute bond with sufficient security, in an adequate penalty, before the chairman and trustees to the Commonwealth of Kentucky, conditioned faithfully to discharge the duties of his office, and to pay over all sums of money that may come to his hands, to the persons entitled, and a lien shall exist on the land and slaves of said marshal and his sureties, from the time of executing bond for all sums of money that shall come into his hands; for other services than those above provided for, he shall be entitled to the same fees that are allowed to sheriffs for similar services, and shall have the same power and duty within the town; he and his sureties shall be liable to judgment by motion in the Warren Circuit Court, in favor of any person or corporation entitled to money collected by said marshal or his deputy, in like manner as sheriffs are liable; he shall collect the fees of the police judge, when fee-bills therefor are placed in his hands for collection, in like manner as is prescribed by law in relation to fees of clerks of county and circuit courts, and shall receive the same compensation for receiving, collecting, and paying over said fees, that is allowed to sheriffs for like services, and shall be liable to motion in the Police

Court in case of delinquency or breach of official duty in like manner as sheriffs are in the Circuit Courts.

§ 24. The board shall have the power and authority to assess, levy, and collect taxes on the value of all estate, real, personal and mixed, and choses in action held, owned, possessed, used, or employed in said town, or on such clases of the same as they may designate, but such taxation shall be uniform on each discription of property assessed, and shall not exceed twenty-five cents on each hundred dollars of such valuation in any one year. But no tax shall be levied or collected on the choses in action or money of any person, except upon the excess of the same over and above the just debts of such person on the day of

the annual assessment.

§ 25. The board shall annually appoint one town assessor, and one assistant if necessary, who shall take in a list of all the taxable inhabitants, and owners of property in said town, separately, and affix against each the real estate in said town owned by him, her or them, with the value thereof on the tenth day of January in that year in which the list is taken, and also the true and just value of such other estate of each of said inhabitants or owners, whether in slaves, goods, stocks or other property, owned, held, possessed, used, or employed by him, her, or them in said town, on said tenth day of January, as may be designated for taxation by said board, which list shall be made on the oath of the party, or if the party refuse to give in a list and swear to the same, the list shall be made from the best information the assessor possesses; and said list shall be extended to include all free males over twenty-one years of age, and all slaves held on hire, with the value of each, all taverns, grocers, victuallers, confectioners, and houses of public resort, (except gaming houses and houses of illfame.) hacks, drays, carts, wagons and porters, plying in said town for hire, if required by the board; of which lists two fair copies, arranged in alphabetical order, shall be completed and returned to said board at the regular meeting in March, whereof notice shall be given, that any of said inhabitants or owners may examine the same, and if any one should feel aggrieved thereby in an excess of valuation or otherwise, application may be made to the board, and on proof being made to their satisfaction, the list may be corrected: Provided, The application is made within the time that may be prescribed by them, after which no abatement or change shall be made. The board shall proceed to lay and levy the taxes for the current year, from estimates previously submitted to them by the chairman.

§ 26. The board shall likewise have the power by ordinance to provide for the taxing of any store, grocery, &c., that may be opened or commenced at any time subsequent to the day fixed upon for the annual assessment, and also of all itinerant merchants or venders: Provided, That in no case, shall the tax levied on such store, grocery, &c., be less than the ratable amount, (as compared with the other assessment,) in proportion to the time the same may be kept open or continued. They shall also have the right to tax auctioneers in said town, not exceeding three per cent. upon all public or private sales of goods, wares or merchandise, not the produce or manufacture of Kentucky, and to require them to take out license with such restrictions and requisitions

as may be necessary to enforce said tax; but no tax shall be levied upon sales of decedents' estates by executors, administrators or curators, or by sheriffs, constables, marshals, coroners or any other public officer as such, or by commissioners appointed or directed by authority

of any court.

§ 27. The board shall have the right to tax, license and regulate all carts, wagons, drays, hacks and porters which may be plying in said town for hire. They shall also have the power, whenever in their opinion the interests of said town may require it, to levy and collect taxes on dogs and other domestic animals, not exceeding five dollars on each dog or other animal. They shall also have the right to tax, not exceeding one hundred dollars, for each exhibition or performance, all shows, exhibitions, performances, or concerts given, made or exhibited for money or property within said town, or within one-half mile of the limits thereof; and may prohibit them until a license be obtained. A poll tax, not exceeding one dollar and fifty cents, shall be levied on each free male inhabitant of said town over twenty-one

years of age.

§ 28. When the said taxes are made out and fixed, as herein provided, a list shall be placed in the hands of a collector, to be appointed by the board, with their warrant or authority to collect the same. The power of the collector of said town taxes shall be the same as to distraining, advertising, and selling property as is now granted by law to Sheriffs in the collection of the State revenue and county levy; and for failing to pay taxes on real estate the same remedies by damages and interest by sale of the real estate shall exist, and the same lien also exist on the property taxed, as in the collection of the State revenue. Bond with good security, in an adequate penalty, shall be taken of said collector, payable to the town of Bowlinggreen, and he shall be removable at the pleasure of the board. The collector and his sureties shall be liable to judgment by motion in the Warren Circuit Court, for failing to collect and pay over any sums put into his hands for collection, at the time stipulated, with ten per centum interest and costs; and five days notice of such motion shall be sufficient, and there shall be no replevin or valuation of property on executions issuing on such judgments. A lien shall exist on the real estate and slaves of said collector and sureties for the payment of all sums placed in his hands for collection. It shall be the duty of the said collector to continue the collection of taxes and other town dues until his successor shall be appointed and qualified, and he shall settle his accounts from time to time, as the board shall require.

§ 29. The board shall either appoint a treasurer to whom all moneys belonging to the town shall be paid; or, at their option, may cause the same to be deposited in bank in said town to the credit of the chairman. No claims against the town, except town bonds or interest thereupon, shall be paid until the same are audited and allowed by the board. In all cases the payment shall be upon an order drawn by the clerk upon the chairman or treasurer for the amount appearing to be due to the claimant, for which order he shall execute a receipt to the clerk. If the funds of the town shall have been deposited in bank, the chairman shall receive said order and pay the amount of the same

out of the funds deposited to his credit; if a treasurer has been appointed and the funds paids over to him, the chairman shall indorse such order in his official capacity on the application of the holder, and the treasurer shall pay the same on presentation. Such order in the hands of the chairman or treasurer, together with the receipt taken by the clerk, shall be evidence of its payment. Like bond shall be required from the treasurer, and like remedies are hereby given as in the case of the collector of taxes.

§ 30. The board shall have power to borrow money on the credit of the corporation, and issue the bonds of the town therefor bearing interest payable annually, redeemable at periods not exceeding twenty years from their date: *Provided*, That the interest paid shall in no case exceed six per centum per annum, and that the amount of said bonds outstanding at any time shall not exceed fifteen thousand dollars. Said bonds shall be signed by the chairman and countersigned by the clerk of the board, and shall be the bonds of the corporation.

§ 31. They shall annually, publish an account of all the moneys received, and of all the payments made during the year they are in office, together with a statement of the town debt at the expiration of their term.

§ 32. The board shall have power to purchase, hold and sell real estate within the limits of said town; and also to purchase, hold and sell real estate either within or without the limits of said town, for the purpose of a potter's field, cemetery and other purposes, not exceeding twenty acres; also to purchase, hold and sell personal estate and stock, in incorporated companies.

§ 33. They shall have full power to pass all needful ordinances and by-laws for carrying into effect the powers herein granted, and executing all the provisions of this charter, with suitable penalties for the infraction of the same, not exceeding fifty dollars, except in cases of disturbances of religious worship, riots, breaches of the peace, and tippling houses, where the penalty may be one hundred dollars. They shall also have power to appoint all subordinate officers necessary to carry the provisions of this act into effect, such as police officers, overseers of the workhouse, market master, weighers, and any other that may be required, and to require bond and security of them for the faithful discharge of their duties.

§ 34. The board shall cause all the by-laws and ordinances to be fairly recorded in the journal of their proceedings, and published in some newspaper printed in said town. The validity of the town ordinances and by-laws may be tried by a writ of prohibition from the Judge of the Warren Circuit Court, with the right of appeal by either party to the Court of Appeals. Should the Judge of the Police Court decide against the validity of any ordinance or by-law, the said decision, with the ordinance or by-law, shall, on request of the town attorney or chairman, be certified on the record; and the board shall have the right of carrying said decision to the Court of Appeals, by appeal or writ of error.

§ 35. There shall be established in said town a court, to be styled the Bowlinggreen Police Court, which shall be held by one Judge e

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elected as provided for in the third section of this act. Said court shall have exclusive original jurisdiction in all prosecutions for violations of the ordinances of said town, and civil, penal and criminal jurisdiction in all cases where by the laws of this State, Justices of the Peace within the county of Warren are or shall be authorized to hear, determine or in any manner to act; and the laws of this State directing and regulating the disposition of fines assessed in Justices' Courts, shall be applicable to this court; and as to committing criminal offenders, and sending them on for trial and admitting them to bail, said court shall have the power of two Justices of the Peace, and for contempts to his court, said Judge shall have the same power and authority to punish by fine and imprisonment that Circuit Courts have.

§ 36. Said Police Judge shall have the same power and authority to grant injunctions, restraining orders, writs of ne exeat and of habeas corpus that the laws of this State confer upon Judges of the county courts. He shall also have power and authority to take depositions in said town, in all cases where examiners are now authorized by law to take the same.

§ 37. Said Police Judge shall be entitled to charge and receive the following fees, viz: For granting an injunction, restraining order, writ of ne exeat, or of habeas corpus, one dollar, to be paid in advance or collected as other fees, and in the case of injunctions, restraining orders and writs of ne exeat to be taxed in the bill of costs against the defendants, unless the same be discharged; for issuing a warrant, for a violation of any ordinance of said town, one dollar; for swearing a jury and presiding on the trial in any case, except forcible entry and detainer, fifty cents; for taking a recognizance to keep the peace, to be paid by the applicant, fifty cents; for taking depositions, the same fees allowed by law to examiners for similar services. All other fees of said Judge shall be the same as those allowed to Justices of the Peace for like services, to be collected in the same way.

§ 38. The jurisdiction of the said Police Judge shall extend to all cases of riots, routs, or unlawful assemblies within the county of Warren, as hereinafter provided. Whenever said Judge shall be advised or receive information on oath of any riot, rout or unlawful assemblage of persons, for the purpose of gaming or any unlawful purpose whatever, whether such unlawful assembly shall consist of freemen or slaves, or both, it shall be lawful for him to issue his warrant to arrest all such offenders, directed to the sheriff or any constable of said county or to the Marshal of said town: and if no officer shall be at hand to serve said warrant, then to such discreet person as said Judge shall appoint, returnable before some Justice of the Peace of said county; on which warrant it shall be the duty of the officer or the person to arrest and bring before said Justice all the persons who shall be found so assembled, to be dealt with by him according to law; and it shall be the duty of the citizens of the town and county to attend the officer or other person, if they shall be thereunto summoned, to aid and assist in arresting the persons so violating the law.

§ 39. The laws relating to the times of holding the courts of Justices of the Peace, shall be applicable to the Bowlingreen Police Court, when sitting for the trial of civil causes. Said court shall be

holden at such place as the board of trustees shall designate, or they failing to designate a place, at such place as the Judge shall select; and the Judge shall have power to fix such times for holding his court for the trial of penal causes as, in his discretion, the cases coming before him for trial may seem to require. He shall keep a record of his proceedings, an attested copy of which shall be evidence, and have the same effect as records of Justices of the Peace. Parties shall have the same right of appeal from the judgments of said court, and in the same manner, as from judgments of Justices of the Peace in similar cases. All penalties for breaches of the ordinances of the town shall be sued for by warrant in the name of the town, and be for its use.

§ 40. All persons convicted of violating the ordinances or by-laws of the town, and failing to pay the fines therefor assessed against them, and the costs, shall be confined in the town work house at labor, or in the jail of Warren county, until the fines assessed against them, and the costs of prosecution, are discharged, at the rate of fifty cents per day. Whenever the fees of the Police Judge and Marshal are discharged by confinement in the workhouse or jail, and in the case of slave convicted of hiring their own time, said fees shall be paid out of the town

treasury.

§ 41. The board of trustees shall have power, whenever they deem it necessary, to pass an ordinance providing for the compensation of jurors in the Police Court. They may, once in each year, levy and collect a tax to create a fund for that purpose, out of which each juror may be allowed and paid a sum not exceeding fifty cents for each day he shall have served; and in cases tried by a jury in said court, if the defendant be found guilty, the sum of two dollars, in addition to the costs, heretofore allowed, shall be taxed in the bill of costs, and in all cases whether tried by a jury or not, where an attorney on the part of the town shall be employed, an additional sum of two dollars and a half shall be taxed in the bill of costs, if the defendant be found guilty, and collected by the Marshal, to be paid into the town treasury.

§ 42. All the rights, privileges and property real and personal, and choses in action which are now vested in and belonging to the trustees of Bowlinggreen, shall be vested in and belong to the town of Bowlinggreen, subject to the payment of all just demands which may exist against said trustees, and for which they are responsible; and in all suits against said town, the writ shall run in the name of the town of

Bowlinggreen, and service on the chairman shall be sufficient.

§ 43. All the ordinances and by-laws now in force in said town, except so far as they are incompatible with the provisions of this act, shall remain in force until modified or repealed; and all the power, authority and privilege vested in the chairman and board of trustees or in any of the officers of said town by this act, shall be vested in, and exercised by the present chairman, trustees, and officers appointed by them, and by their successors in office.

§ 44. The first election for Judge of the Police Court of said town, shall be holden on the first Saturday in April of the present year, in the manner prescribed herein for holding elections for Police Judge &c., on the first Saturday in December. The person elected as Police Judge at that time, upon being qualified, shall enter upon the duties of his office

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immediately, and continue to discharge the same until the holding of the ensuing regular election, and until his successor is qualified.

δ 45. That the citizens of said town and their hands shall be bound as heretofore, to work upon all roads and streets within the bounds of said corporation, and keep the same in good repair; but they shall be exempt from working on roads outside the limits of said town.

§ 46. All acts and parts of acts coming within the purview of this act

are hereby repealed.

Mr. Wadsworth moved to amend the bill by striking out all that part of the 16th section printed in italics.

Which was adopted.

Mr. Edwards moved to amend the bill by adding thereto the following section, viz:

§ 45. That the citizens of said town, and their hands, shall be bound, as heretofore, to work upon all roads and streets within the bounds of said corporation, and keep the same in good repair; but they shall be exempt from working on roads outside of the limits of said town.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was taken on the passage of said bill, and decided in

The year and nays being required thereon, by Messrs. Hogan and Weis, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, John S. Barlow, Robert Blain, William C. Bullock, James D. Headley, D. Howard Smith, Jesse W. Burton, Samuel Howard, Shelby Stone, John A. Cavan, Nathaniel W. Collins, David Irvine, William L. Conklin, John Q. A. King, T. W. W. DeCourcy, Theodore Kohlhass, Tucker Woodson, George T. Edwards,

William C. Gilliss, William T. Haggin, James D. Hardin, Robert C. Palmer, William Howell, James Sudduth, John P. Martin,

Daniel Matthewson, John S. McFarland, James F. Buckner, Wiley S. Hay, George W. Silvertooth, W. H. Wadsworth, D. K. Weis, George Wright-33.

Those who voted in the negative, were-

Overton P. Hogan, C. J. Walton-2.

The Senate took up for consideration the re-consideration of the vote by which the Senate rejected a bill to extend the terms of the Court of Appeals, and to increase the jurisdiction and salary of the Judges.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the terms of the Court of Appeals, to commence after the passage of this act, shall be continued and held for seventy-two days, and as much longer as the business thereof may require, instead of

sixty days as now required by law.

§ 2. That no appeal to the Court of Appeals shall lie, unless where the order, judgment, or decree, relates to an office, franchise or tree-holder, or is against a divorce, if the matter in controversy does not amount in value to fifty dollars, exclusive of interest and cost.

§ 3. That it shall be the duty of the Clerk of the Court of Appeals to docket all cases in said court from the same county together, and to docket all cases from the same Judicial district together, commencing with the cases from the county, whose terms are first held, and continuing regularly to the last.

§ 4. That it shall be the duty of the Clerk of the Court of Appeals to distribute on his docket the business of said court for each term, as

nearly equal for each day as may be.

§ 5 That from and after the passage of this act, each judge thereof shall receive, as his annual salary, at the rates of twenty-five hundred dollars, instead of two thousand, as now provided for by law, and to be paid in the same manner as now provided for.

§ 6. This act to take effect from and after its passage.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Walton and Weis, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain, Overton P. Hogan, William C. Bullock, John A. Cavan, William T. Haggin, James D. Hardin, James D. Hardin, D. Howard Smith, Shelby Stone, James Sudduth, W. H. Wadsworth, D. K. Weis, Tucker Woodson—15.

Those who voted in the negative, were-

Charles H. Allen, George T. Edwards, John Q. A. King, William C. Gilliss, John S. Barlow, John P. Martin. James F. Buckner, Daniel Matthewson, Wiley S. Hay, Jesse W. Burton, James D. Headley. John S. McFarland, Nathaniel W. Collins, William Howell, C. J. Walton, William L. Conklin, David Irvine, George Wright-19. T. W. W. DeCourcey,

On motion of Mr. Silvertooth, leave was given to bring in a bill to amend an act incorporating the town of Hickman, approved, March 10, 1854.

Ordered, That Messrs. Silertooth, Martin and King prepare and bring in the same.

Mr. Weis offered the following resolution, viz:

Resolved, That hereafter the Senate will meet at half past nine o'clock, instead of ten, A.M.

Which was adopted.

Mr. Irvine, from the committee on Enrollments, reported that the committee had examined an enrolled bill which originated in the Senate, of the following titles, viz:

An act for the benefit of Alfred Kendall, Executor of Henry Woodyard, late sheriff of Grant county, and for other purposes.

An act to incorporate the Deposit Bank of Cynthiana, Harrison county.

An act for the benefit of Jane Carey.

An act authorizing Constables to execute process issuing from the quarterly courts in civil actions.

An act for the benefit of the circuit court clerk of Harrison county. An act to amend the act establishing the Boston and Akin Turnpike Company.

An act in relation to a new road in Lewis and Fleming counties.

An act to incorporate the Paducah Gas Light Company.

An act to regulate the duties of the Commissioner of the Louisville Chancery Court.

An act authorizing the sale of certain streets in Simpsonville.

An act to amend an act, to amend and reduce into one, the several acts respecting to the town of Hickman.

And had found the same truly enrolled.

The said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Irvine reported that the committee had performed that duty.

Mr. Conklin moved a reconsideration of the vote, discharging the committee on the Judiciary from the further consideration of a leave to them referred, to bring in a bill to incorporate the city of Paducah.

And the question being taken thereon, it was decided in the affirmative.

And then the Senate adjourned.

TUESDAY, FEBRUARY 26, 1856.

A message was received from the House of Representatives announcing that they had passed bills from the Senate of the following titles, viz:

An act to amend the 21st section of an act, entitled, an act to incorporate the Elizabethtown Savings Institution and for other purposes and to change the name of the Savings Institution of Harrodsburg to the Bank of Harrodsburg.

An act for the benefit of the heirs of Frank Quinn, deceased.

An act regulating the time of holding the Circuit Courts.

With amendments to the two last named bills.

That they had concurred in a preamble and resolution in relation to the removal of the remains of Gov. James Clark to the Frankfort cemetery.

That they had passed bills and a resolution of the following titles, vi_z :

An act to provide for the removal of the remains of Gen. George Rogers Clarke to the Frankfort Cemetery, and the erection of a monument to his memory.

An act to incorporate the Catlettsburg and Louisa Turnpike Road Company.

An act to incorporate the Kentucky and Henderson Mutual Insurance Company.

An act to amend the charter of the Falls City Bridge Company.

An act for the benefit of William Watson.

An act to incorporate Loraine Lodge, No. 4, of the I. O. O. F.

An act to incorporate Tompkinsville Lodge, No. 321, of Free and Accepted Masons.

An act to authorize the county courts of Powell, Owsley, Morgan, Breathitt, Perry, and Letcher counties to construct a road from Stanton, in Powell county, to the Virginia State line.

An act to incorporate the town of Paradise.

An act for the benefit of James H. Holladay and John G. Parks, adm'rs of Lewis H. Arnold, deceased.

An act to change the time of holding the Nicholas County Court.

An act to change the time of holding the Court of Claims in Madison county.

An act for the benefit of Daniel G. Colyer, late sheriff of Rockcastle county.

An act for the benefit of the heirs of Benoni Hotchkiss and A. F. Gowdy.

An act for the benefit of the town of Bradfordsville.

Resolution in relation to the erection of a public Mausoleum in the Frankfort cemetery.

That they had received official information from the Governor that he had approved and signed enrolled bills and resolutions which originated in the House of Representatives, of the following titles, viz:

An an act to amend the charter of the Danville, Dix river, and Lancaster Turnpike road Company.

An act to authorize married women to convey real and other property under power of attorney.

An act to amend the charter of the Louisville and Frankfort Railroad Company.

An act to amend the charter of the Covington and Cincinnati Bridge Company.

An act supplemental to an act, entitled, an act incorporating the town of Mayfield.

An act to establish Equity and Criminal Courts in the 1st judicial district.

Approved February 23, 1856.

Resolutions in relation to furnishing State charitable institutions with certain public books.

Resolution to extend the present session of the General Assembly.

Approved February 25, 1856.

Mr. Weis presented the petition of sundry citizens of the county of Carter, asking an appropriation of money for the purpose of improving the navigation of Little Sandy river.

Which was received, the reading dispensed with, and referred to the committee on Propositions and Grievances.

Bills from the House of Representatives of the following titles, were reported from the several committees to whom they were referred, without amendment, viz:

By Mr. DeCourcey, from the committee on County Courts-

An act for the benefit of Rowan county.

By same—

An act to regulate the fees of coroners.

By Mr. Blain, from the same committee—

An act to change the time of holding the Quarterly Courts in the counties of Knox and Harlan.

By same-

An act giving certain authority to the Presiding Judge of the Greenup County Court.

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By same—

An act to amend the law in relation to appeals from Justices of the Peace in Quarterly Courts.

By same, from the committee on Propositions and Grievances-

An act for the benefit of C. Osburne and others, to enable them to protect themselves against milk sickness.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. DeCourcey, from the committee on County Courts, to whom was referred a bill from the House of Representatives, entitled,

An act for the benefit of William Marshall, jailer of Bracken county. Reported the same without amendment.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

And so said bill was disagreed to.

Mr. Blain, from the committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled,

An act to change the boundary line between the counties of Shelby and Oldham,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Bullock and Allen, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, William T. Haggin, John S. McFarland, John S. Barlow, James D. Hardin, Charles Ripley, James D. Headley, Robert Blain, George W. Silvertooth, Jesse W. Burton, Overton P. Hogan, D. Howard Smith, Nathaniel W. Collins, Samuel Howard, Shelby Stone, William L. Conklin, David Irvine, C. J. Walton, D. K. Weis, George T. Edwards, Theodore Kohlhass. William C. Gilliss, Daniel Matthewson, George Wright-24.

Those who voted in the negative, were-

James F. Buckner, Wiley S. Hay, William C. Bullock, William Howell, T. W. W. DeCourcey, John Q. A. King,

Resolved, That the title of said bill be as aforesaid.

Mr. Barlow, from the committee on Finance, to whom was referred a bill from the House of Representatives, entitled,

An act to aid in removing free negroes from this State to Liberia,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the constitution, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, William C. Gilliss, John P. Martin, John S. Barlow, William T. Haggin, John S. McFarland. Robert Blain, Sylvester Harris, Charles Ripley, Wiley S. Hay, James F. Buckner, D. Howard Smith, William C. Bullock, Samuel Howard, W. H. Wadsworth, Jesse W. Burton, David Irvine, D. K. Weis, John A. Cavan, George T. Edwards, John Q. A. King, Tucker Woodson, Theodore Kohlhass, George Wright-24.

Those who voted in the negative, were—Nathaniel W. Collins, James D. Headley, George W. Silvertooth, William L. Conklin, Overton P. H.

William L. Conklin, Overton P. Hogan, T. W. W. DeCourcey, Daniel Matthewson, C. J. Walton—9.

Resolved, That the title of said bill be as aforesaid.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. DeCourcey, from the committee on County Courts—

1. A bill fixing the compensation of Sheriffs for collecting the revenue, and prescribing the time for paying the same into the treasury.

By same—2. A bill to change the time for paying in the revenue, by the Sheriffs of this Commonwealth.

By same—3. A bill to change the time of paying the revenue of this Commonwealth to the 15th of January in each year.

By same—4. A bill to change the time of holding the Quarterly Courts of Henry county.

By same—5. A bill to regulate the duties, and provide for compensation of County Attorneys.

By Mr. Blain, from same committee-

6. A bill to change the time of holding the Quarterly Courts of Hardin county.

By same—7. A bill for the benefit of the late Sheriff of Lewis county.

By same, from the committee on Propositions and Grievances-

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8. A bill to establish an additional election precinct and place of voting in Christian county.

By same-9. A bill to prescribe the western boundary of the town

of Flemingsburg.

By same—10. A bill authorizing the County Court of McLean to establish a ferry, or purchase the present ferry over Green river, at Calhoun and Rumsey.

By same-11. A bill for the benefit of Barber & Miler.

By same—12. A bill to change the time of holding the Lewis and Grayson Quarterly Courts.

By Mr. Hogan, from the committee on Religion-

13. A bill regulating the holding of religious worship by colored persons.

Which were severally read the first time, and ordered to be read a

second time.

The constitutional provision as to the second reading of said bills being dispensed with, the first and second were committed to the committee on Finance; the third and eleventh were laid upon the table; the fourth, sixth, seventh, eighth, ninth, tenth, and twelfth, were ordered to be engrossed and read a third time; the fifth was placed in the orders of the day; and the thirteenth was made the special order of the day for the 27th inst., at $10\frac{1}{2}$ o'clock, A. M.

The constitutional provision as to the third reading of the fourth, sixth, seventh, eighth, ninth, tenth, and twelfth of said bills being dispensed

with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. DeCourcey, from the committee on County Courts, reported a bill to fix and regulate the fees of Constables, Justices of the Peace, and County Judges.

Which was read the first time, as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky: That the following fees shall be allowed and paid to constables for their services, viz:

CI VICCS, VIZ.								
For serving a warrant for debt,	-	-	-	diago	12 · 100	0 4	\$	40
For serving a peace or search v	varra	ant,	-	1111		-	1	00
For levying an attachment, fifty	cen	ts, and	da re	asona	bleco	om-		
pensation for taking care of	the	attac	hed p	proper	ty to	be		
allowed by the court.			10/2/20	an Bri				
For summoning a garnishee,	ad- b	0 0+101	n edi	9100	112 0			40
For taking up a vagrant, -	-		-	-		tuau		50
For summoning a witness,	-	hart and	0.5	-11	-			15
For collecting money under e	xecu	tion,	takin	g rep	levin	or		
forthcoming bond, or for stay	of	execu	tion,	and o	ther s	er-		
vices under execution, the s	ame	com	missic	n as	allov	ved		
to Sheriffs, and one per cent.								
es leaver in the later in the l								

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For collecting fee bills, ten per cent.	
For summoning a jury in a givil come to be still at	91 70 7.
For summoning a jury in a civil case to be paid by the party	
ordering it, and taxed against the unsuccessful party,	75
For summoning a jury in case of a breach of the peace, riot,	
unlawful assembly, or in any other penal prosecution	
where a july is necessary, to be taxed against the nerson	
prosecuted if convicted.	1 00
For serving a notice of any kind,	25
For arresting and carrying a slave before a Justice of the	
1 cace of other officer on a charge of misdemones	1 00
For willpping a slave under an order of a lustice or other	
officer, to be paid by the owner if to be found if not then	
out of the county levy.	1 00
For all other services performed, the same fees as are allow-	
ed Sheriffs.	
JUSTICES FEES.	is sell
2. For attending and taking depositions, per day, one dol-	quib ga
lar; if more than two are taken on the same day, or suc-	
ceeding day, when cotinued over, fifty cents for each ad-	
ditional deposition.	
For superintending a writ of forcible entry or detainer, per	
day,	1 00
For issuing a summons for witness,	1 00
For issuing a warrant in a civil case,	15
For each original judgment,	25
Recording judgment,	25
Presiding at trial in all cases of breaches of the peace, riots,	25
&c., to be taxed against the defendant, if found guilty,	
Issuing execution or capias profine,	1 00
Issuing an attachment,	25
Taking bond before issuing attachment,	25
For copying and certifying record; two cents for every	25
twenty words.	
For certifying and sending up indement	
For certifying and sending up judgment and papers on any appeal,	Herlin W
Issuing summons for a garnishee,	50
Issuing a distress warrant,	25
Issuing a neace wement	50
Issuing a peace warrant, warrant for breach of the peace,	
riot, &c., to be taxed against the defendant, if found guilty, or held to bail,	
For taking a recoming	50
For taking a recognizance in nature of a replevin bond to be taxed therein,	
For administrain	25
For administering an oath and giving a certificate thereof,	15
the acknowledgment and certifying the same to a	
out power of allumet of or other inchmisment of assisting	25
to be	NET THE
Para out of freasury, ner nav	2 00
For drawing up statement of evidence on trial, and sending	
ap, two cents for every twenty words to be neid out	279
or ricusury.	
For issuing order of arrest, to be paid out of Treasury,	50
50	

For taking recognizance or bail in criminal cases, and filing same to be paid out of Treasury, -

COUNTY JUDGES.

§ 3. The fees of County Judge's for services in cases where the amount sued for or is in controversy exceeds fifty dollars, and in all appeals from Justices Courts, shall be the same as are allowed by law to Circuit Court Clerks; and in all cases where the amount in controversy is fifty dollars and under, the same fees as are allowed by this act to Justices of the Peace.

For taking and certifying the acknowledgment of a deed, power of attorney or other instruments of writing, -For certifying that a Clerk of his court is Clerk thereof,

Ordered, That said bill be read a second time.

The constitutional provision as to the second reading of said bill be ing dispensed with,

Mr. Cavan moved to amend said bill as follows:

"The provisions of this act shall apply to Police Judges and Town Marshals, for similar services."

Mr. Barlow moved to lay said bill and amendment on the table. And the question being taken thereon, it was decided in the nega-

The yeas and nays being required thereon, by Messrs. Walton and Barlow, were as follows, viz:

Those who voted in the affirmative, were-

Wiley S. Hay, John S. McFarland, Charles H. Allen, Shelby Stone, James D. Headley, John S. Barlow, Overton P. Hogan, C. J. Walton, Robert Blain, Nathaniel W. Collins, John Q. A. King, D. K. Weis, Daniel Matthewson, George Wright-16. George T. Edwards, William C. Gilliss,

Those who voted in the negative, were-

William T. Haggin, George W. Silvertooth, James F. Buckner, William C. Bullock, Samuel Howard, D. Howard Smith, Jesse W. Burton, William Howell, James Sudduth, W. H. Wadsworth, David Irvine. John A. Cavan, William L. Conklin, Theodore Kohlhass, Tucker Woodson—17. T. W. W. DeCourcey, Robert C. Palmer,

Ordered, That said bill be placed in the orders of the day.

Mr. Blain, from the committee on Propositions and Grievances, reported "a bill to add a part of Ohio county to Daveiss county."

Which was read the first time, as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky: That all that part of Ohio county, commonly called the Cut Off, and

For issuing order of arrest, to be paid out of Treasury.

contained in the following boundary, be stricken off from the county of Ohio and added to the county of Daviess, to-wit: Beginning at a white oak near William Obensheans, the present corner of Daviess. Ohio and Hancock counties, running thence with the present Daviess and Ohio county line, south 40 degrees, west 914 poles to another corner of Daviess and Ohio counties, in George Neals farm; thence south 60 degrees, east 1,120 poles to three white oaks, another corner of Daviess and Ohio counties, on the head waters of Deserters fork; thence north 40 degrees, east 1,255 poles to the Hancock county line, about 18 poles below Jacob Deringer's farm; thence with the Hancock county line, north 72 degrees, west 1,178 poles to the beginning. This act to take effect from and after the first day of June next: Provided, however, that taxes assessed in that portion of the county stricken off to Daviess for the year 1856, shall be collected and accounted for by the Sheriff of Ohio county, as though this act had not passed.

Ordered, That said bill be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed with, and the same being engrossed,

The question was taken on the passage of said bill, and it was decided in the negative. The said dalloans of the me it helitine stared

The yeas and nays being required thereon, by Messrs. McFarland and Blain, were as follows, viz:

Those who voted in the affirmative, were—

Charles H. Allen, Samuel Howard,

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nd

John Q. A. King, D. K. Weis, Robert Blain, Theodore Kohlhass, Tucker Woodson-8. John S. McFarland, ... McFarland, if hebia

Those who voted in the negative, were—

John S. Barlow. William C. Bullock, Wiley S. Hay,
Jesse W. Burton, James D. Headley,
John A. Cavan, Overton P. Hogan,
Nathaniel W. Collins, William Howell,
William L. Conklin, John P. Martin,
T. W. W. DeCourcey, Daniel Matthewson,
George Wright—25. George T. Edwards,

William C. Gillis, Charles Ripley, James F. Buckner, Sylvester Harris, George W. Silvertooth,

And so said bill was rejected.

Mr. Blain, from the same committee, reported "a bill for the benefit of James Henderson, jr., of Rockcastle county."

Which was read the first time, and ordered to be read a second

The constitutional provision as to the second reading of said bill being dispensed with, and an about the state of guilding in the sed and the

Ordered, That said bill be read a third time.

And the question being taken on dispensing with the third reading of said bill, it was decided in the negative.

Mr. Blain, from the committee on Propositions and Grievances, to whom were referred the petition of sundry citizens of the counties of Barren and Adair, in relation to the creation of a new county, reported the same, with the following resolution thereon:

Resolved, That said petition be rejected.

Which was concurred in.

Also, the petition of sundry citizens of the county of Lawrence, in relation to working the roads in said county, with a like resolution thereon.

Which was concurred in.

Mr. Blain, from the same committee, asked to be discharged from the further consideration of a leave to them referred to bring in a bill to amend the charter and laws of the cities of Newport and Covington.

Which was granted.

A message was received from the House of Representatives, asking leave to withdraw the report of their disagreement to a bill from the Senate entitled, "an act to establish the Planter's Bank of Kentucky."

Which was granted, and the bill withdrawn.

The Senate, according to order, took up for consideration the bill to prevent fraudulent assignments, in trust for creditors, and other fraudulent conveyances.

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Sudduth and Blain, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain,	Wiley S. Hay,	Charles Ripley,
James F. Buckner,	Overton P. Hogan,	George W. Silvertooth,
William C. Bullock,	David Irvine,	D. Howard Smith,
Jesse W. Burton,	John Q. A. King,	Shelby Stone,
John A. Cavan,	Theodore Kohlhass,	W. H. Wadsworth,
William C. Gillis,	Daniel Matthewson,	D. K. Weis,
William T. Haggin,	John S. McFarland,	Tucker Woodson-21.

Those who voted in the negative, were—

Charles H. Allen,	George T. Edwards,	Robert C. Palmer.
John S. Barlow,	James D. Headley,	James Sudduth,
Nathaniel W. Collins,	Samuel Howard,	C. J. Walton,
William L. Conklin,	William Howell,	George Wright-14.
T. W. W. DeCourcey,	John P. Martin,	are factorists, say and

The Senate according to order took up for consideration the bill to provide for the prosecution of the Geological, Mineralogical, Chemical, Topographical, and Agricultural survey of the State.

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Ordered, That said bill be made the special order of the day for the 29th inst., at half past ten o'clock, A. M.

The Senate took up for consideration the amendments proposed by the House of Representatives to a bill from the Senate, entitled,

An act regulating the time of holding the Circuit Courts.

Ordered, That said bill and amendments be referred to the committee of Thirteen.

Ordered, That Messrs. Palmer, Smith, Bullock, and Buckner be added to the committee on the Geological Survey.

The Senate took up for consideration the amendment proposed by the House of Representatives to a bill from the Senate, entitled,

An act for the benefit of the hiers of Frank Quinn, deceased.

Which was concurred in.

Mr. Blain, from the committee on Propositions and Grevances, to whom was referred a bill from the House of Representatives, entitled, An act to establish the county of Metcalfe.

Reported the same without amendment.

Ordered, That said bill be read a third time. Said bill was read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the first day of May, 1856, so much of the counties of Hopkins and Union as lies within the following boundary shall be, and the same is hereby erected into and established as a seperate county, and to be called and known as the county of Metcalfe, to-wit: Beginning at the mouth of Piburus branch, on Tradewater river; thence a straight line to the house of Milton Sisk, (including him;) thence a straight line to the eight mile tree on the road from Providence to Madisonville; thence a straight line to Hoffmansville, including said village; thence to Winstead's steam mill, including it; thence down Deer creek to the mouth of Leather's creek; thence up said creek to the corner of the counties of Hopkins, Henderson and Union; thence with the Henderson line to White Lick Bridge, on Highland creek; thence with Seigler's old trace to the crossing near Gilchrist's; thence a straight line to the Chalybeate Springs; thence with the Chalybeate branch to the crossing of the new road from Morganfield to Madisonville, near E. Shelton's; thence a straight line to the Half-moon Lick, on Trade-water; thence up the river to the begin-

§ 2. The seat of justice of Metcalfe county shall be called and known by the name of Barry, and shall be located as near the center thereof as practicable, and not more than one mile therefrom under no circumstances; to be located by the commissioners hereinafter appointed, to-wit: William Spalding, of the county of Union, Isaac N. Clement, of the county of Crittenden, and John Pritchett, of the county of Henderson, and William Bradley, of the county of Hopkins, who, or a majority, may meet at the residence of Miles Baker, on the first Monday in March, 1856, and precede to locate said seat of justice of said coun-

ty at the most eligible situation, under the restrictions aforesaid; and said commissioners are requested to make a written certificate of their action in duplicate, one of which shall be by them transmitted to the Secretary of State, and the other shall be deposited with Edward Rice, who shall preserve the same, and deliver it over to the Clerk of the County Court of said county, to be by him recorded in his office.

§ 3. The county of Metcalfe shall be divided into four districts, in each of which there shall be elected two justices of the peace and one constable; which districts shall also be election precincts; and, that Edward Skinner, Samuel B. Wallace, David Thomason, and James D. Headley are appointed commissioners, who, after taking an oath faithfully to discharge their duties, shall lay off said districts and designate the place of voting in each; a majority of these commissioners may discharge this duty; they shall meet at the residence of Isaac Barker, on the first Monday in March, 1856, or as soon thereafter as may be convenient, and proceed to perform the duties herein assigned to them; and they may adjourn from day to day and from place to place until the duty is performed; they shall lodge a report embracing the boundary of each district in the hands of said Rice, who shall hold the same in safe keeping until a Clerk of the County Court of said county shall have been elected; and then it shall be delivered over to said clerk, who shall record and file the same in his office; and said commissioners shall transmit another copy of their said report to the Secretary of State, who shall preserve the same in his office; and it shall also be the duty of said commissioners to appoint suitable persons in each district to act as judges, clerks, and shereffs for the election of a circuit court clerk, a county court clerk, a sheriff, an assessor, a surveyor, a jailor, a coroner, a presiding judge of the county court, a county attorney, justices of the peace, constables, and all other county officers-which election shall be held on the first Monday in May, 1856. Said judges, clerks, and sheriffs shall severally take an oath faithfully to perform their duties herein enjoined. Those persons who may act as sheriffs shall meet at the house of Edward Rice, on the second day after the election, and, after carefully comparing the polls, shall sign two certificates of the result of the election, designating the name of each person having the highest number of votes, and the office to which he shall have been elected; one of which shall be lodged with said Rice, who shall cause it to be recorded in the Clerk's office of said county, and the other they shall forthwith transmit to the Secretary of State, whose duty it shall be to cause commissions to be issued to those persons therein named, that are required by law to be commissioned.

§ 4. That the several officers that shall be elected as before required, shall take the several oaths required by the Constitution and laws of this State, and execute all necessary bonds with surety as is now required by law, and shall hold their several offices until the next general election for like officers, and until their successors shall have been duly elected and qualified: Provided, The sheriff so elected shall continue in office two years, and until his successor shall be duly elected and

qualified.

§ 5. The counties of Hopkins and Union, before this act takes effect, shall have jurisdiction in all things as though this act had not passed.

§ 6, The presiding judge, and the justices of the peace of said county, or a majority thereof, shall purchase or receive by donation suitable ground upon which the public buildings shall be erected; and said County Court shall cause to be erected thereon suitable buildings on said ground at said county seat for a court-house, jail, clerks' offices, which shall be errected by a charge on the county, to be levied for that purpose: Provided, Said tax shall not exceed two dollars per head per year.

§ 7. That Charles C. Buckman be and he is hereby appointed a commissioner, with such assistants as he may call to his aid, to run and mark the boundary of said county as designated in the first section of this act; and the County Court of said county is hereby required to allow and pay the several commissioners herein named for their services rendered, as required in this act, reasonable compensation for the same, to be levied and collected from said county.

§ 8. The said county of Metcalfe shall vote for Senator with the second senatorial district, and for Representative it shall vote with the county of Union until changed by law.

§ 9. The County Court of said county shall set the third Monday in each month; and the Judge of said court shall hold his quarterly terms on the second Monday in March, June, September, and December in each year.

§ 10. It shall be the duty of the Secretary of State to furnish to said county, or the officers thereof, all the public books and statutes which are now by law directed to be furnished to the public officers of this Commonwealth.

§ 11. That the said county shall have the use of the jail of Hopkins county until a jail shall be built in said county, and that said county shall be attached to the second judicial district.

Mr. Weis moved the previous question.

And the question being taken, shall the main question be now put? it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Headley and Wadsworth, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen,
Robert Blain,
Jesse W. Burton,
Nathaniel W. Collins,
T. W. W. DeCourcey,
View T. Edwards,
William C. Gilliss,
James D. Headley,
Shelby Stone,
Tucker Woodson—14.

Those who voted in the negative, were-

John S. Barlow,
James F. Buckner,
William C. Bullock,
John A. Cavan,
William L. Conklin,
Sylvester Harris,

Overton P. Hogan,
William Howell,
David Irvine,
Theodore Kohlhass,
Daniel Matthewson,
John S. McFarland,

Charles Ripley,
W. H. Wadsworth,
C. J. Walton,
D. K. Weis,
George Wright—17.

And then the Senate adjourned.

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WEDNESDAY, FEBRUARY 27, 1856.

A message was received from the House of Representatives, announcing their disagreement to a bill from the Senate, entitled,

An act to establish the Planters Bank of Kentucky.

That they had passed bills from the Senate of the following titles:

An act to amend the charter of the town of Danville.

An act to amend the several acts in relation to pedlers.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act to incorporate the People's Insurance Company

An to amend the common school laws.

An act for the benefit of William B. Johnson, late sheriff of Laurel county.

An act to change the time of holding the Pulaski Quarterly Courts.

An for the benefit of Barbette Rosenthal.

An act for the benefit of James M. Thurman, of Bullitt county.

An act for punishing negro stealing.

An act to incorporate the trustees of the Pleasant Grove Presbyterian Church, in Washington county.

Bills from the House of Representatives were reported from the several committees to whom they were referred, viz:

By Mr. Hogan, from the committee on Religion-

An an act to incorporate the Evangelical Church and School Association, at Alexandria.

By same-

An act to incorporate the First Presbyterian Church, in the city of Augusta.

By same-

An act for the benefit of the Methodist Episcopal Church, at Alexandria.

By same-

An act for the benefit of the Methodist Episcopal Church South, at Shelbyville.

By same—

An act for the benefit of the Methodist Episcopal Church South, at Alexandria.

And then the Beneral address and had

By same-

An act for the benefit of the Trustees of the Methodist Episcopal Church South, in the county of Henry.

By Mr. Weis, from the committee on Internal Improvement-An act to incorporate the Union and Richwood Turnpike road Company.

By same-

An act to incorporate the Bloomfield and Taylorsville Turnpike road Company.

By same-

An act to incorporate the Springfied, Maxville, and Wellsburg Turnpike road Company.

By same-

An act better to regulate the mode of working and opening roads in Boone county.

By same-

An act to incorporate the Rough Creek Navigation and Manufacturing Company.

By same-

An act to improve the road from Cumberland river to Monticello.

By Mr. Kohlhass, from the same committee-

An act to authorize the Louisville and Frankfort, and Lexington and Frankfort Railroad Companies to consolidate their companies.

By same-

An act to incorporate the Bardstown and Cedar Creek Turnpike Company.

By same-

An act for the benefit of the Georgetown and Lemon's Mill Turnpike road.

By same-

An act to amend the charter of the Dry Creek and Covington Turnpike road Company.

By Mr. Weis, from the same committee-

An act to improve the State road from Columbia to Albany.

With amendments to the two last named bills,

Which were concurred in

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass and that the titles thereof be as aforesaid.

Mr. Weis, from the committee on Internal Improvement, to whom was referred a bill from the House of Representatives, entittled,

An act to authorize the Salt River Turnpike road Company to surrender a portion of said road to the Louisville and Cane Run Plank Road Company,

Reported the same without amendment.

And the question being taken on reading said bill a third time, it was decided in the negative, and so the said bill was disagreed to.

Mr. Weis, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act in aid of counties which have subscribed to the capital stock of the Louisville and Nashville Railroad,

Reported the same without amendment.

The said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended, so as to read as follows, viz.

An act for the benefit of Hardin county.

Mr. Kohlhass, from the committee on Internal Improvement, to whom was referred a bill for the benefit of George Hampton, of Morgan county, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Hogan, from the committee on Religion—A bill for the benefit of the town of Prestonsburg.

By Mr. Kohlhass—A bill to prevent the destruction of fish in the North Fork of Licking river, within Mason and Bracken counties, and North Elkhorn, in Scott county.

By same—A bill to incorporate the Breckenridge and Grayson County Turnpike road Company.

By same—A bill to incorporate the Hodgenville Turnpike road Com-

By same—A bill for the benefit of Tuckahoe Ridge Turnpike road Company.

By same—A bill to incorporate the Bagdad and Harrisonville Turnpike Road Company.

By same—A bill to amend the act, entitled, an act to incorporate the Kentucky Union Railway Company.

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By same—A bill supplemental to an act incorporating the Kirksville Turnpike Road Company, in Madison county.

By same—A bill to incorporate the Downingsville Turnpike Road Company.

By same—A bill to change the name of the Clear Creek Turnpike Road Company.

By Mr. Weis, from same—A bill to amend the charter of the Lexington and Big Sandy Railroad Company.

By same—A bill to charter the Williamsburg, Cumberland River and Tennessee Railroad Company.

By Mr. King, from the committee on Banks—A bill to incorporate the Deposit Bank at Glasgow.

Which were read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third reading of said bills having been dispensed with, and the same being engrossed,

R280lved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. King, from the committee on Banks, reported a bill to amend an act, entitled, an act to incorporate the Bank of Ashland.

Which was read the first time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the second section of an act, entitled, an act to incorporate the Bank of Ashland, passed and approved at the present session, be so amended as to authorize and require an increase of the capital stock of said bank, to the sum of five hundred thousand dollars, to be divided into shares of one hundred dollars each, to be subscribed and paid in, as said act now prescribes, or as the President and Directors of the mother bank may designate.

§ 2. That the thirty-second section of the aforesaid act, be also amended, so as to require the President and Directors of the mother bank to locate and establish a branch of said bank at Standford, in the county of Lincoln, with a capital of not more than one hundred thousand dollars, nor less than fifty thousand dollars: *Provided*, The stock is subscribed and taken within two years from the passage of this act.

§ 3. That books of subscription to the capital stock of said branch hereby created, shall be opened at Standford, under the superintendence of commissioners, to be appointed by the principal bank; and said principal bank shall have power to prescribe such rules and regulations for the government of such branch, and all the provisions of said before recited act in relation to the branch at Shelbyville, not inconsistent with this act, shall apply to the branch hereby created.

§ 4. This act to take effect from its passage.

Ordered, That said bill be read a second time.

The constitutional provision as to the second and third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

The year and nays being required thereon by Messrs. Smith and Hogan, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen,
Robert Blain,
William C. Bullock,
Jesse W. Burton,

Nathaniel W. Collins,
John Q. A. King,
Shelby Stone,
D. K. Weis—10.

Those who voted in the negative, were-

D. Howard Smith, Overton P. Hogan, John S. Barlow, James Sudduth, James F. Buckner, William Howell, W. H. Wadsworth, John A. Cavan, David Irvine, C. J. Walton, Theodore Kohlhass, William L. Conklin, Tucker Woodson, John P. Martin, William C. Gilliss, George Wright-20. Daniel Matthewson, Wiley S. Hay, George W. Silvertooth, James D. Headley,

And so the said bill was rejected.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State, which is as follows, viz:

EXECUTIVE DEPARTMENT, Frankfort, February 27, 1856.

Gentlemen of the Senate:

On the 19th instant a bill was presented to me for my approval and signature, entitled, "An act to incorporate the bank of Harrodsburg. Kentucky." After giving to the subject all the consideration and scrutiny demanded by its importance, I feel constrained by an imperious sense of duty, to return it to the house in which it originated, with my objections to it. With a most anxious and sincere desire on my part to conform to the legislative will in all matters of mere expediency and public policy, I was induced, after much hesitation and very great doubt, to approve and sign two bank bills, which have thus become laws, under a hope and belief that no more bank capital would be incorporated by the present Legislature. I am by no means certain that I did not do wrong in doing so. I am not fully satisfied, with the opinions which I entertain, that it was not my duty to have thrown the whole responsibility of their passage upon the Legislature; but if I have erred it has been in deference alone to the legislative will. I can not, however, approve and sign the bill before me for the following reasons:

1. There is no limit to the duration of the charter. The bill is intended as an amendment to the Savings Institution of Harrodsburg, and, in addition "to its present privileges," it shall have the right to issue bank notes payable to bearer on demand. There is no limit to the charter contained in this bill, and it becomes necessary to look to the original charter, approved March 7, 1850. By the 21st section of the act, the Savings Institution of Harrodsburg is established, and all the provisions of that act, so far as they apply to the Elizabethtown Savings

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Institution, are made applicable to the Harrodsburg Savings Institution—except only that the shares be twenty-five dollars instead of fifty, and payable in installments of two dollars and fifty cents instead of five, as provided by the Elizabethtown charter. In scrutinizing the Elizabethtown charter it will be found that there is no limit to its duration. The Georgetown charter, contained in the same act, is limited to the year 1880; but there is no limitation to their duration upon

either of the other charters.

2. There is no limitation upon the capital stock which may be employed in this bank. The charter allows its indefinite and unlimited increase. The fifth section of the bill under consideration provides. "that no more stock shall be taken in said institution until the president and directors thereof shall cause the books to be opened for that purpose; and they may require such premiums upon the residue of said stock (which stock is not to exceed the amount allowed under the original charter) as they may deem right." By the second section of the original charter of the Elizabethtown Savings Institution, it is provided that "the capital stock in said institution shall be fifty thousand dollars, which may be increased to one hundred thousand dollars, independent of the stock deposit." By the seventh section of the same act it is provided, that "any depositor who shall make known his intention to become a stockholder, and have the same so entered on the books of the corporation, shall be entitled to dividends in proportion to the amount deposited, and such dividend shall be added to his other deposit until the amount shall be equal to a share, when a certificate of stock shall be issued, and so he or she may again deposit from time to time, and receive certificates of stock when the amounts, deposits, and dividends be sufficient therefor." The capital stock of the present bank may be \$100,000 independent of the stock deposit, and the stock deposit may be converted into capital stock to an indefinite and unlimited amount, subject alone to the discretion of the directory. It cannot be forgotten that it was this provision in the Trust Company Bank, and the indefinite extension of capital which was allowed by the original charter, by converting the stock deposits into capital, it being in its origin a mere bank of deposit, which led to the disasters which overwhelmed that institution. It is not, however, doubted that the stock deposits might be safely converted, to a limited amount, into capital stock; but surely it must have been an oversight in the Legislature, to give any private company a perpetual charter, with a potenial capital altogether unlimited in amount.

3. There is no restriction in this charter as to the rates to be charged as exchange upon bills. It cannot be disguised that much of the feeling in favor of the establishment of new banks, has arisen from a deep seated hostility to the course of our present banks in the rates of exchange established by them. It is alleged that these rates are exorbitant and highly oppressive upon the commerce of the country, and that the establishment of new banks was to inaugurate a new era in the history of Kentucky banking. The present charter, however, was passed without any limitation whatever upon these rates. It is true that there is a provision that not more than 33½ per cent. "of the funds" of this bank shall be employed in dealing in bills of exchange, and that

the remainder shall be used in dealing in negotiable and accommodation paper. What is meant by the funds of the bank may not be altogether certain, but it can hardly be construed to embrace its own notes. Admitting, however, that not more than one-third of its business shall be in bills, it does not by any means reach the evil which was complained of. I however think that it is a very great mistake to suppose that the increase in bills of exchange, drawn upon the commerce of the country, can be otherwise than beneficial to the community as well as the banks. The total exports of the State may be represented by the bills of exchange drawn thereon. The banks very properly give out their paper, which, in the first instance, is distributed according to the export sold by each producer. The manufacturer of hemp sends his bagging and rope to a Southern market, draws a bill for an amount which will certainly be covered by it, sells it to the bank, and with the proceeds pays the farmer who raises the hemp, and the farmer pays for his yearly supplies to the merchant who either deposits or pays it to the bank, leaving, of course, the clear profit as a circulating medium for a season. So the exporter of pork or of live stock sells a sufficient amount of bills, payable at the point of exportation, to pay the home cost and charges, and the money is distributed among those who raise the hogs, mules, horses, or cattle. In this way there is advanced through the legitimate channels of commerce to the people, a paper circulation at all times convertible into gold and silver. equivalent, or nearly so, to the whole amount of the vendible surplus which is exported from the State. There can be no more legitimate or useful banking operation than this; and I would as soon think of fixing an unvarying price upon all the exports of the State, as to limit the amount which the banks should use in dealing in exchange. When our articles of export are high, it is obvious that a larger amount of bills will be needed to represent it, or when we have a large and abundant crop, more money will be needed to purchase it. By dealing in legitimate bills drawn in good faith upon the exports of the country, the circulation of our bank paper is accommodated to the prices which the laws of supply and demand have affixed to the productions of industry. A sound currency, and a sound banking system, cannot be maintained without making bank credits subservient to the exchange of the annual and marketable products of industry. By confining themselves to bills drawn on the exports, or representing the commerce of the country, there can be no good reason for complaining of the amount of such bills which may be purchased by the banks, any more than there would be of complaining of the amount of our exports. The banks are permitted to draw a profit from their promissory notes, constituting our circulating medium, and to extend that circulation to twice the amount of their capital, and they are under a high legal, as well as moral obligation, to keep that circulation at a value equivalent to the money of the constitution, by redeeming it always upon demand in gold or silver. They can only do this by dealing in exchange—they buy bills on the south, and when paid, convert the proceeds into credits in our eastern cities. The balance of trade between these points and our state has always been against us-the debt against our State is always in the east. It is obvious that our paper currency

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will not pay this debt. If it could not be done by drafts upon funds already at points where they are required, payments could alone be made by the transfer of the precious metals. The paper circulation would necessarily be sought to draw the coin from the banks to be forwarded in payment of the annual commercial debt of the State. To protect themselves against this ever recurring demand, they must deal, and deal largely, in exchange—it answers all the purposes of coin, and is in many respects more convenient; it is indeed the only mode by which the banks can supply themselves with the coin which is indispensable to the existence of public confidence. In addition to this, the interest upon our public debt is payable in New York, and can only be met by conveying it there through the medium of bills of exchange.

I have not, therefore, sympathized with the complaints which have been so often made against our banks for dealing in exchange. If the bills purchased by them represent fairly the exports of the country, so far as the amount is concerned, it cannot be viewed otherwise than as legitimate and proper. The evil is not in the amount of legitimate bills, but in the rates charged in the purchase of them. There is no restriction as to these rates in the bill under consideration. No bank ought ever to be established with the power to do that which may be so easily perverted, and against the exercise of which there is so general a complaint in the community. The public interest requires that this power should be defined and fixed, as far as it is practicable to do so. With the facility afforded of charging usury under the color of exchange, I think that every new bank charter ought to contain some fair,

safe, and wholesome restraint on its exercise.

The banks, by their charters, are limited to six per cent. interest, payable in advance, upon all loans made by them-they are also vested with the privilge of dealing in exchange. The only operating cause upon the exchange between two points, when the currency is of equal value at each, is the balance of trade. To illustrate: if the merchants in the city of Louisville are indebted to the merchants in the city of New Orleans \$100,000 for groceries, and the merchants in New Orleans are indebted to another class of merchants in Louisville for bagging and rope in the same sum, this at once becomes the foundation of an equal exchange of debts, the currency being equal in value at both points. The Louisville debtor wants funds at New Orleans, while the Louisville creditor has funds there which he wants at home—the debtor merchant advances the money to the creditor merchant at Louisville and receives a bill on New Orleans, which he remits without cost, and pays his debt without loss of time, or the risk and expense of transmitting the money. But if the debts of either country exceed what is due to it from the other, exchange will be against the debtor country, and bills are drawn upon it at a discount, and bills purchased in it on the creditor country ought to command a premium. Thus, if New Orleans should owe Kentucky a million of dollars and Kentucky is not indebted to New Orleans at all, or in but a small sum, the balance of trade is against New Orleans, and a man in Kentucky holding a bill payable there, worth there what it purports on its face to be worth, cannot obtain par value for it because no one will put himself to the trouble of

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collecting it, with the necessary loss of time in bringing it home, for six per cent. interest only up to the day of its maturity. The bill must then necessarily be at some discount, and this discount is taken by the banks as exchange. The cost of bringing the money home, including the time necessary to do it, and insurance, constitute the basis for this charge of exchange. The time the bill has to run until it matures does not properly constitute an element in this charge. The particular season when the bill becomes due, may vary the rate to be charged, but time, as such, is paid for by the interest which is always deducted in advance.

In a report made to the Legislature, written by a gentleman of great and acknowledged ability and large experience, soon after the present banks commenced operations, it was said, "banks might practice usury under color of exchange, and the rates at which they buy and sell exchange should be carefully looked to, and the banks preserved from the taint of usury, by a fixed determination on the part of the representatives of the people to keep them within the pale of their charters." In the same report, after alluding to the temptation from exorbitant profits, to extend the bill business too far, the general principle is laid down, "that the business of the banks ought not to be forced into the bill line, and that any constraint on the part of the banks to force the business of their customers into that line, would be an infraction of their charters, and a violation of the duty they owe the public." The rates of exchange then charged were perhaps sufficiently reasonable. The half of one per cent was the highest amount charged upon any bill payable in Kentucky. Since the establishment of new banks and the duplication of the banking capital of the State, if all that I have heard be true, there seems to have been a race which should make the largest profits; and, if what is charged be true, there have been instances where the business has been unnecessarily forced into the bill line by the purchase of bills not drawn upon the commerce of the country, and usury has been exacted under color of exchange. Additional bank capital has had no other effect than to increase these rates, and instead of cheapening to make money dearer, and the rate of interest higher.

My immediate predecessor, in vetoing the bank bills passed by the last general assembly, took occasion to express the opinion that the rates of exchange charged by our banks was too great, and that these rates induced them to deal more largely in bills than they should have

If the banks should adopt a fair rate of exchange, there would be no temptation to buy any bill not drawn on the exports of the State, and fairly representing its commerce. These exports would furnish bills enough to meet the eastern demand upon us, and to keep the banks supplied with the necessary amount of the precious metals.

4. The banking capital of the State is now large enough, if not too large. We have now in active operation \$10,429,280 of banking capital, to which may be added the two banks passed at the present session of the general assembly. In addition to this there are the various Deposit Banks, Savings Banks, and Insurance Companies, with power to deal in bills of exchange, all having a very large monied capital to

represent the commerce of the country, and several millions of capital

not yet taken in the present banks.

We have a circulation of bank paper, including deposits, of \$15,517,-844. With such a circulation, is it at all strange that the paper is constantly thrown back upon the banks? The check of cash payments limits the circulation to the actual demand. An excess of circulation, unless made payable at some inconvenient point, difficult of access, by a high conservative principle in commerce, will soon correct itself by being thrown back upon the banks. By no legislative action, can this circulation add any thing to the capital of the country. If the banks could issue paper to the full extent of the privilege allowed them, the amount might be increased without increasing the value. You cannot increase your wealth by an increase of paper credits beyond the actual demands of commerce. By an inexorable law of equality, the currency will be cut down by depreciation to the specie standard-this depreciation first manifests itself by the increased price of every vendible commodity. The banks must of necessity resort to the circulation of paper payable at the most inaccessible points. Practically the metals are banished from circulation-there grows up in the community a shade of difference in the value of coin and the ordinary circulation; this difference is increased just in proportion to the increase of banking capital-each bank that is established will of course seek to extend its circulation by every means in its power. The effect of such circulation is not to drive home the paper of the issuing bank only, but it acts upon the whole aggregate of issues. I need not add that the State is deeply and vitally interested in the prudent and profitable management of our present banks. The State owns nearly two millions of dollars of stock in the present banks-the payment of the interest upon our public debt, and the gradual extinguishment of the principal depend in a great measure upon resources derived from the banks. The Sinking Fund of the State, at this time, is in a prosperous and flourishing condition. By proper and wise management, our debt can be extinguished long belong its maturity; or, if not practicable to buy it in, a sufficient fund may be set aside and sacredly dedicated to that object.

If ever there was a time in the history of our State, when prudence and wisdom on the part of our banks, and candor and moderation cn the part of the government, were imperiously demanded by the best interests of the country, the present is believed to be that period. No State in this Union has had more bitter and dear bought experience than Kentucky, by pursuing a contrary course. The old Bank of Kentucky was at one period one of the best and most prudently managed banks in the Union-the State held a large interest in it; the Legislature passed an act requiring the establishment of twelve additional branches; this created a morbid appetite for more bank capital; it was followed by the establishment of forty-one independent banks. No sooner did they go into operation, and issue their notes, than they were sent home for redemption, and every bank, except perhaps two, suspended, and the charters of all were repealed and taken from them. The principle of individual liability was attached to one of these banks, but it was unable to stand the general crash. Then followed

the system of relief laws and the issuing of \$3,000,000 of unredeemable currency—the whole interest which the State held in the old Bank of Kentucky was squandered, wasted, and lost. There are many who have a vivid recollection of the trials through which we then passed. Ought we not to profit by the lessons of experience? One of the distinguishing features of increasing bank capital, is, that the farther you go the greater the demand for an additional increase. It is the part of sagacity and wisdom as well as of patriotism, to pause upon the threshold. We are now in a prosperous and happy condition; every commodity bears a fair and remunerative price; our currency is sound and convertible at will into gold or silver; our circulation is as great as the demands of commerce require; and if a greater circulation should be demanded by the wants of trade, the banks in existence would be glad to furnish it. If, however, we commence making the deposit banks which have been established banks of issue, where will it end? I suppose that there are between twenty and thirty such institutions now chartered in the State; have not all of them an equal claim to the high privilege of issuing bank notes as a currency? Will not the grant of the privilege to this institution to become a bank of issue, be but the commencement of a system of legislation which will convert them all into banks of issue? Can any one see what is to be the effect upon the public prosperity, or the disastrous influence to be exerted upon our financial condition by such a course of public policy?

If the present banks have acted erroneously by improper charges, I doubt not, that in obedience to public sentiment, they will correct the evil. The interest of the State and the banks ought to be the same; it is the same when viewed by wise and right thinking men. The evil, in my judgment, is but aggravated by the multiplication of bank

charters

There is no truth better established, in political economy, than the impossibility of maintaining a greater currency in value, whatever may be the nominal amount, than the extent of the trade and industry and production of the country of its circulation. The laws of trade will cut it down to the common measure of mankind—if not by returning upon the banks for specie, in the shape of depreciation by the fic-

titious value of property.

I need not speak of its effect in hastening, sometimes in producing, and always in aggravating those commercial revulsions which are so disastrous upon the prosperity of the country. Unless we should as a nation become involved in a foreign war, with the expected pacification of Europe, we may look for a period of inflated prosperity which must soon terminate in a commercial revulsion. Should such a dreadful calamity as war befall us, no one can suppose that more bank capital could have any other than the most baleful influence. At all events, we should prepare ourselves for a monied crisis, instead of doing that which will only aggravate its effects. My solemn conviction is, that we have now a sufficiency of bank capital for all the wants of a healthy commerce. The spirit of wild and visionary speculation will inevitably follow in the footsteps of that public policy which is intent upon the establishment of more banks. An unhealthy and inflated condition of things must be the consequence; and if past experience

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be any evidence of the future, bankruptcy and ruin will ensue. I know that it is a delicate matter to refuse to sign a bill involving no constitutional objection; but I consider the subject one of deep and vital interest to the people of Kentucky, and I have brought to bear upon it the calm and impartial consideration demanded by its importance. I have no interest more than the humblest citizen of the Commonwealth in any of the existing banks; I have no desire but to promote the prosperity and happiness of our common country. If I am wrong in the views which I have felt constrained to take of this measure, a majority of all the members elected to each house can pass the bill, my objections to the contrary notwithstanding. The responsibility will then be with you, who differ with me in opinion, and I shall have the satisfaction of knowing that I did what I consider my duty to the country.

C. S. MOREHEAD.

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky: That said institution shall keep its office of discount and deposit in the town of Harrodsburg, and that in addition to the present privileges, it shall have the power, and is hereby authorized to issue bills and bank notes payable to bearer on demand at said office of discount and deposit, but not of any less denomination than one dollar.

§ 2. The banks notes to be issued by said institution shall be signed by the president, and countersigned by the cashier thereof; and said institution is inhibited from issuing checks or orders payable at its office of discount or elsewhere, to any person or order, or to any person or bearer, with the intent that said checks or orders shall circulate as bank notes.

§ 3. That said institution shall at no time owe, whether by bond, bill note or other contract, an amount exceeding twice the amount of capital stock actually paid in, exclusive of sums due upon deposit; nor shall said institution at any time suspend, fail, or refuse to pay in gold or silver, any of its notes, bills or other obligations, when due and payable, and demanded at its office of discount and deposit during its regular banking hours; nor shall it refuse to pay any moneys, notes, bills or other articles on deposit in said institution, when due and demanded as aforesaid; and for any such failure, said institution shall be liable to pay damages at the rate of ten per cent. per annum from the time of such failure till payment thereof, to be recovered by action in any court of record having jurisdiction of such causes; and for such failure or refusal this charter shall be forfeited; and if, upon judgment being rendered against said institution for any of said causes, the amount thereof should not be made upon execution issuing thereon to the county of Mercer; then those who are the president, directors and stockholders of said institution, at the time said execution or executions may respectively come to the hands of the Sheriff of Mercer county, shall be liable for said judgment or judgments in their individual capacities, by joint or several actions or modes of proceeding, usual in the courts of this Commonwealth, against them or either of them, their heirs, executors or administrators, in any court having jurisdiction thereof, by any creditor or creditors of said institution, any condition or agreement to the contrary notwithstanding.

§ 4. If any such individual responsibility shall occur, and loss be

thrown thereby upon any stockholder of said institution, then the other stockholders therein shall be responsible and contribute towards said loss, respectively, in proportion to the stock held by them in said institution, regarding said loss as a burden upon all the stockholders therein; to be met and borne by them respectively in proportion to their in-

terest and amount of stock in said bank.

§ 5. That no new stock shall be taken in said institution until the president and directors thereof shall cause the books to be opened for that purpose, and they may require such premiums upon the residue of said stock (which stock is not to exceed the amount allowed under the original charter.) as they may deem right; and such premiums when paid, shall be the property of the bank, and the payment of said shares yet to be taken shall be made in gold and silver, at such times and in such manner as the president and directors may order; but before the reopening of said books for the taking of the residue of said stock, at least thirty days notice of the time and place thereof shall be given by publication in one newspaper published nearest said bank.

§ 6. That in case of the death, resignation, or vacancy from any other cause in the directors of said institution, the remaining directors, or any three of whom who shall constitute a quorum for business, shall fill such vacancy from among the other stockholders of said institution, having the requisite qualifications, for the unexpired term of such director or directors, whose seat has been thus vacated; and the president of said institution shall hold his office for one year, or until his successor shall be chosen, as provided for by the original charter.

§ 7. That if the cashier, letter, clerk, agent, or other officer of said institution shall, without authority of the president and directors thereof, appropriate any of the funds of said corporation to his own use, or to that of any other person, or shall wilfully fail to make correct entries on the books of the institution, with intent to cheat or defraud the corporation, or any other person, or to hide or conceal any improper appropriation of the funds of the corporation, the officer or officers so offending, shall be deemed guilty of felony, and shall, upon conviction thereof, be sentenced to confinement in the jail and penitentiary of this State, for a period of not less than five nor more than twenty years.

§ 8. It shall be the duty of the president and directors of said bank, upon the first day of December and the first day of June, annually, to transmit to the Secretary of State an accurate statement of the condition of the bank, as it existed on the first day of the preceding month; which statement shall specify the amount of capital stock actually paid in, and the amount not paid in; and the value of the real estate belonging to said bank, and the cost; the total amount of debts due to and from said bank; the amount of gold and silver and other coined metal and bullion on hand; the amount deposited; the amount of bills in circulation; and the amount of bills on hand of other incorporated banks; and the amount of notes in circulation of each denomination issued by the bank; the rate and amount of dividend and the profits made by said bank, with the amount of contingent fund; which statement the Governor of the Commonwealth shall cause to be laid before the Legislature of Kentucky; and they shall, when required by the Legislature, report all bad and duobtful debts.

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§ 9. Said institution shall not contract for or receive a greater rate of interest than at the rate of six per centum per annum, for the loan or forbearance of money and interest on promissory notes, negotiable and payable at said institution; and their discount shall be calculated on the true time such notes have to run, including three days of grace, and shall be paid in advance and on banking principles in accordance with Rowlett's tables of discount and interest.

§ 10. Such of the notes or bills of said institution as shall be payable to order, shall be transferable by assignment, and those made payable to bearer by delivery.

§ 11. The president, directors, cashier, clerks, and other officers of said institution, before entering upon the discharge of their duties, shall respectively take an oath, before some justice of the peace of this State, faithfully, honestly, impartially, and to the best of their skill and judgment, to discharge all the duties of their respective offices and stations, under the original charter and this amendment, or which may be required by the by-laws, rules and regulations of this corporation.

§ 12. The Legislature of Kentucky shall have the right to investigate the situation and affairs of said institution, by any committee they may appoint for that purpose, from time to time.

§ 13. That for any alledged forfeiture of the charter of this institution, the Circuit Court of the county of Franklin shall have jurisdiction to try the same, but the proceedings shall be by scirc facias, alleging and specifying the acts of forfeiture relied upon, and shall only be sued at the instance of the Attorney General of the State, when directed by the Legislature of Kentucky, or the Governor for the time being, from which an appeal may be taken as in other cases: Provided, That should a forfeiture be declared, this institution shall still have the power to sue and be sued, and continue its operations necessary for the winding up of the same, and no other.

§ 14. That upon any stockholder failing or refusing to pay his slock, as herein provided, the president and directors, first giving public notice in some newspaper printed this State, for the space of thirty days, by a resolution entered on their records, may forfeit said stock, and proceed at such time as they deem expedient to re-sell the same, and all partial payments made on any stock which may be forfeited shall be held for the hereit of the bank.

held for the benefit of the bank.

§ 15. The bills and notes of said institution made payable to bearer, shall be receivable in all payments to the State, and on account of county levies, so long as it shall redeem its notes in gold and silver, on

demand, unless otherwise directed by law.

§ 16. Said institution shall make no loan of money, or discount any note or bill on the pledge of the stock of said bank, whatever, and no stockholder shall be allowed to pay any debt he may owe the bank, by the surrender of the stock of the bank, until all the notes of the bank shall have been redeemed, and all the debts of the bank paid; and stockholders becoming indebted to said bank shall be compelled to pay their debts, in all respects as other persons dealing with the bank; nor shall any stockholder be allowed to make payment of the shares of stock held by him or her, by means of a loan obtained from said bank.

§ 17. It shall not be lawful for the cashier or any other subordinate officer of said bank, to engage in or carry on any other business than that of said bank, without the special license of the president and directors, under the penalty of one thousand dollars, to be recovered by action in any court of record having jurisdiction; to be paid into the Treasury for the benefit of common schools of the State; and to be recovered in the corporate name of said bank. Nor shall the chashier, clerk, teller, or other subordinate officer, become indebted to said bank either as borrower, indorser, or surety, under like penalty and recovery.

§ 18. At no time shall there be a greater amount than thirty-three and one-third per cent. of the funds of this bank employed in dealing in bills of exchange, foreign or domestic, and the remainder shall be used in dealing in negotiable and accommodation paper, indorsed and properly secured.

Ordered, That said message be made the special order of the day for the 28th inst., at 3 o'clock, P. M., and that the public printer forthwith print 150 copies of said message for the use of the members of the General Assembly.

Mr. Wright moved a reconsideration of the vote, disagreeing to a bill from the House of Representatives, entitled, an act to establish the county of Metcalfe.

And the question being taken thereon, it was decided in the affirmative.

The year and nays being required thereon, by Messrs. Hogan and Irvine, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen,	James D. Hardin,	Robert C. Palmer,
John S. Barlow,	Sylvester Harris,	George W. Silvertooth,
Robert Blain,	Wiley S. Hay,	D. Howard Smith,
John A. Cavan,	James D. Headley,	Shelby Stone,
Nathaniel W. Collins,	Samuel Howard,	C. J. Walton,
T. W. W. DeCourcy,	William Howell,	D. K. Weis,
George T. Edwards,	John Q. A. King,	George Wright-23.
William C. Gilliss.	John P. Martin	

Those who voted in the negative, were-

James F. Buckner,	David Irvine,	W. H. Wadsworth,
William C. Bullock,	Theodore Kohlhass,	John Williams,
William L. Conklin,	Daniel Matthewson,	Tucker Woodson-11.
Overton P. Hogan,	Charles Ripley,	

On motion of Mr. Kohlhass, ordered, that leave of absence for the balance of the session be granted to Mr. McFarland.

The Senate took up for consideration the bill regulating the holding of religious worship by colored persons, together with the amendment heretofore proposed by Mr. DeCourcey.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky: That it shall not be lawful for slaves to congregate together at any place dedicated to public worship, other than such as are under the

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charge of a white pastor or preacher, regularly appointed by a white congregation; unless there are present at such meeting two or more white persons, house keepers of the county, selected by a white congregation from time to time, whose business it shall be to keep order and cause such meeting to begin and end within reasonable hours, and perform such other police duties as may be necessary.

§ 2. That it shall not be lawful for any white person or free person of color to have or hold, or permit to be held, any assembly of slaves, other than his own, for religious worship or for any other purpose, unless there are in attendance at such time or place two or more white persons, house keepers of the county, appointed for the purpose by a religious congregation of white persons, and such persons thus selected shall perform the same duties prescribed to like committee provided in

the foregoing section of this act.

- § 3. That if an white person or free negro shall be guilty of violating either of the foregoing sections of this act, he shall be fined in any sum not less than ten nor more than fifty dollars for each offence, to be recovered before any Justice of the Peace, or other officer having jurisdiction of like amounts, of the county where the offense was committed, or by indictment of the grand jury of the same county; and on conviction of a second offense, he shall be fined double the amount specified for the first offense, and shall be held to bail, with good and sufficient security in like sum, by the court in which such conviction was had in a sum not less than one hundred nor more than five hundred dollars, payable to the Commonwealth, which bond shall be filed in the Clerk's office of the Circuit Court of the county where the offense was committed, and conditioned to faithfully keep the provisions of this act.
- § 4. Any slave violating the provisions of this act shall be sentenced to receive any number of lashes on his bare back not exceeding thirtynine, by order of any Justice of the Peace, Police Judge, Trustee of town, Mayor of city, or other officer having judicial power under the laws of this Commonwealth.

§ 5. That it shall be the duty of each constable, town or city marshal, and Sheriff of this Commonwealth to enforce the provisions of this act, and each Circuit Judge to give it in special charge to the grand

jurys.

Mr. DeCourcey moved to strike out the 4th section of said bill.

Mr. Stone moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the affirma-

The year and nays being required thereon, by Messrs. Stone and Harris, were as follows, viz:

Those who voted in the affirmative, were-

Jesse W. Burton. John A. Cavan, William L. Conklin, T. W. W. DeCourcey, William Howell, C. J. Walton, George T. Edwards, John Q. A. King, James D. Hardin,

Sylvester Harris, Wiley S. Hay, James D. Headley, Daniel Matthewson,

Shelby Stone, James Sudduth, W. H. Wadsworth, D. K. Weis, Tucker Woodson-18.

Those who voted in the negative, were-

Charles H. Allen,	William C. Gilliss,
John S. Barlow,	Overton P. Hogan,
Robert Blain,	Samuel Howard,
James F. Buckner,	David Irvine,
William C. Bullock,	Theodore Kohlhass,
Nathaniel W Collins	John P Martin

Robert C. Palmer. George W. Silvertooth, D. Howard Smith, John Williams. George Wright-17.

A message was received from the House of Representatives, announcing that they had adopted a resolution in relation to extending the present session of the General Assembly.

Said resolution was taken up, twice read and concurred in. The yeas and nays being taken thereon, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain,
James F. Buckner,
William C. Bullock,
Jesse W. Burton,
William L. Conklin,
T. W. W. DeCourcey
William C. Gilliss,
James D. Hardin,
Sylvester Harris,

Wiley S. Hay, James D. Headley, Samuel Howard, David Irvine, John Q. A. King, , Theodore Kohlhass, John P. Martin, Daniel Matthewson, John S. McFarland.

Robert C. Palmer, George W. Silvertooth, D. Howard Smith, James Sudduth, W. H. Wadsworth, C. J. Walton, D. K. Weis, Tucker Woodson-26.

Those who voted in the negative, were-

John S. Barlow,	Overton P. Hogan
Nathaniel W. Collins,	William Howell,
George T. Edwards,	Charles Ripley,

Shelby Stone, George Wright-9.

Mr. Irvine, from the committee on Enrollments, reported that the committee had examined enrolled bills and resolutions which originated in the Senate, of the following titles, viz:

An act for the benefit of the heirs of Frank Quinn, deceased.

An act for the benefit of the heirs of Jacob Watson.

An act to incorporate the Hickman Building and Loan Association.

An act to amend the 21st section of an act, entitled, an act to incorporate the Elizabethtown Savings Institution and for other purposes, and to change the name of the Savings Institution of Harrodsburg to the Bank of Harrodsburg.

An act to authorize the sale the sale of certain alleys in the town of Prestonsburg, Floyd county.

Preamble and Resolutions relative to the removal of Governor James Clark to the Frankfort cemetry.

And enrolled bills and resolutions which originated in the House of Representatives, of the following titles, viz:

An act to amend the law regulating the sale of spiritous, malt and

An act creating an additional justice's district in the county of Pulaski.

An act repealing an act incorporating the town of Barboursville.

An act for the benefit of the Circuit Court Clerk of Campbell county.

An act to amend the charter of the city of Augusta.

An act to provide for holding terms of the Campbell Circuit Court in Newport.

An act to change the time of holding the Quarterly Courts in the counties of Barren and Monroe.

An act to change the time of holding the Owsley Quarterly Court.

An act to authorize the Trigg County Court to change the State road from Hopkinsville to Cadiz.

An act to establish a Police Judge and Town Marshal in the town of Mt. Olivet, in Bracken and Nicholas counties.

An act for the benefit of John Philly.

An act for the benefit of justices district No. 3, in Kenton county.

An act regulating the application of moneys arising from sales of vacant lands lying in Hart county.

Preamble and Resolution in relation to the bill in favor of the soldiers of the Revolutionary War, introduced into the Senate of the United States by Senator Evans, of South Carolina.

Resolution extending the present session of the General Assembly to the 10th March, 1856.

And had found the same truly enrolled.

The said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Irvine reported that the committee had performed that duty.

And then the Senate adjourned.

THURSDAY, FEBRUARY 28, 1856.

By Mr. Koldhare, from the committee on incomed improvement

A message was received from the House of Representatives announcing that they had passed bills from the Senate of the following titles, viz:

An act to incorporate the Commercial Insurance Company.

An act to regulate agencies of foreign insurance companies.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act to regulate the duties of county and commonwealth's attorneys.

An act to change the time of holding the Quarterly Courts of Green county.

An act for the benefit of the administrators of John Gilbert deceased.

An act to incorporate Taylor Lodge, No. 34, I. O. O. F.

An act to incorporate Ion Lodge, No. 301, of Free and Accepted Masons.

An act to incorporate Good Samaritan Lodge, No. 174, of Free and Accepted Masons.

An act to incorporate the Second Presbyterian Church, at Covington.
An act to incorporate Gordonsville Lodge, No. 217, of Free and Accepted Masons.

An act to incorporate Bland Ballard Lodge, No. 38, I. O. O. F.

An act to incorporate McLean Lodge, No. 120, I. O. O. F.

An act to incorporate Rusling Lodge, No. 112, I. O. O. F.

An act to cause writings to be made in the English language.

An act to incorporate Schiller Lodge, No. 64, I. O. O. F.

Mr Smith presented the petition of Gen. Leslie Combs and others, praying the establishment of a deposed bank in the city of Lexington.

Mr. King presented the petition of sundry citizens of the county of

Lyon, praying to be added to Crittenden county.

Which were received, the readings dispensed with, and referred—the to the committee on banks; and the second to the committee on Propositions and Grievances.

On motion of Mr. Smith, leave was given to bring in a bill for the benefit of Amanda M. Kress.

Bills from the House of Representatives of the following titles, were reported from the several committees to whom they were referred, without amendment.

By Mr. Kohlhass, from the committee on Internal Improvement—An act for the benefit of J. W. Henderson, of Barren county.

By same-

An act declaring Miller's creek a navigable stream.

By same-

An act to amend the charter of the Greensburg and Taylor county Turnpike road Company. By same-

An act to authorize the County Court of Mercer, to subscribe stock in a Turnpike road.

By same-

An act to amend the charter of the Bank Lick Turnpike road.

By same-

An act declaring Contrary creek a navigable stream.

By Mr. Burton, from the same committee-

An act to incorporate the Buffalo and Hamilton Turnpike road Company.

By same-

An act incorporating the Harrodsburg and Cornishville Turnpike road Company.

By Mr. Howell, from the committee on Privileges and Elections—An act to change the place of voting in Leech's district, in Bullitt county.

By same-

An act authorizing the County Court of Lyon county to establish an additional voting place in said county.

By Mr. Barlow, from the committee on Finance-

An act to repeal so much of an act, entitled, an act concerning the Auditor's office and Treasurer's office, as relates to the Treasurer's office.

By same-

An act for the benefit of William Worsham, late Sheriff of Wayne county.

By same-

An act for the benefit of Worden Kendall.

By same—

An act for the benefit of Lemuel Hibbard, late Sheriff of Laurel county.

By same-

An act for the benefit of Zachariah B. Sailer, Sheriff of Harlan county.

By same-

An act for the benefit of Thomas W. Pickering.

By same-

An act for the benefit of Littleton Helm.

By Mr. Blain, from same committee-

An act for the benefit of Wm. Corum, Clerk of the Greenup Circuit and County Courts.

By same-

An act for the benefit of the estate of R. W. Warring, deceased, late Sheriff of Greenup county.

By same-

An act for the benefit of James C. Edwards, Sheriff of Green county.

By same-

An act for the benefit of P. W. Napier, late Sheriff of Casey county. Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass and that the titles thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Matthewson, from the committee on Agriculture and Manufactures—A bill to incorporate the Prestonsburg coal and iron Company.

By Mr. Kohlhass, from the committee on Internal Improvement—A bill to amend the charter of the Danville, Dix river and Lancaster Turnpike road Company.

By same—A bill to authorize the County Court of Fulton to change the State road.

By Mr. Burton, from the same—A bill to incorporate a company to construct a turnpike road in Barren county.

By Mr. Howell, from the committee on Privileges and Elections—A bill to create an additional civil district in Hickman county.

By same—A bill changing the boundaries of certain election districts, in Clark county, and to change the voting place in district No. 5.

By Mr. Barlow, from the committee on Finance—A bill to repeal an act, entitled, an act to regulate the duties of the Christian County Court, in laying the county levy.

By same—A bill for the benefit of John W. Haws, late Sheriff of Lawrence county.

By same—A bill for the benefit of Charles T. Jenkins, Sheriff of Caldwell and Lyon counties.

By Mr. King, from the same committee—A bill for the benefit of William Mayneer.

By same—A bill for the benefit of W. T. E. Furnan.

By Mr. Blain, from same—A bill for the benefit of Thomas Helm, late Clerk of the Circuit and County Courts of Lincoln, Thomas B. Nichols, late Clerk of the County Court of Boyle, and Reuben M'Carty, late Clerk of the Circuit and County Courts of Pendleton.

By Mr. Barlow, from same—A bill to provide for any deficiency in the Treasury that may occur during the year 1856.

Which were read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bills having been dispensed with, and the same being engrossed,

R:solved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Sudduth, from the Select committee, reported a bill making appropriations for schools,

Which was read the first time and ordered to be read a second time. The constitutional provision as to the second reading of said bill be ing dispensed with,

It was referred to the committee on Geological Surveys.

Mr. Kohlhass, from the committee on Internal Improvements, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of the Louisville and Nashville Railroad Company,

Reported the same without amendment.

And the question being taken on reading said bill a third time, it was decided in the negative.

And so said bill was disagreed to.

Ordered, That the consideration of the Veto Message of the Governor of yesterday be postponed until to-morrow, 11 o'clock, A. M.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and a resolution, which originated in the Senate of the following titles, viz:

An act for the benefit of James B. Wilder, guardian of Marinda B. Wilder.

An act entitled an act to amend the charter of Perryville Seminary.

Approved February 25, 1856.

An act for the benefit of the hiers of Frank Quinn, deceased.

An act to regulate the duties of the Commissioner of the Louisville Chancery Court.

An act authorizing the sale of certain streets in Simpsonville.

An act in relation to a new road in Lewis and Fleming counties.

An act to incorporate the Deposit Bank of Cynthiana, Harrison county.

An act to incorporate the Paducah Gas Light Company.

An act authorizing Constables to execute process issuing from the quarterly courts in civil actions.

An act for the benefit of Jane Carey.

An act for the benefit of the circuit court clerk of Harrison county. Approved February 27, 1856.

An act for the benefit of the heirs of Jacob Watson.

An act to incorporate the Hickman Building and Loan Association. An act to authorize the sale of certain alleys in the town of Prestonsburg, Floyd county.

Preamble and Resolutions in relation to the removal of Gov James Clark to the Frankfort cemetry.

Approved February 27, 1856.

Mr. Barlow, from the committee on Finance, reported a bill for the benefit of J. B. Floyd and the widow of John Coleman, deceased,

Which was read the first time, as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of one hundred and twenty-three dollars and seventyfive cents, be allowed John B. Floyd, formerly of Trimble county, Ky., and the further sum of one hundred dollars, be and is hereby allowed to the widow and relic of John Coleman, deceased, formerly of said Trimble county, for apprehending one Delia Webster under a requisition of the late Governor of Kentucky; and that the Audttor of Public Accounts be and he is hereby directed to issue his warrant upon the Treasurer for the aforesaid sums, which shall be paid out of any moneys in the Treasury not otherwise appropriated. This act shall take effect from and after its passage.

Ordered, That said bill be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon were as follows, viz: Those who voted in the affirmative, were-

Wiley S. Hay, Charles H. Allen, James D. Headley, John S. Barlow, Robert Blain, David Irvine, James F. Buckner, John Q. A. King, William C. Bullock, Theodore Kohlhass, C. J. Walton, Jesse W. Burton, John P. Martin, John A. Cavan, Daniel Matthewson, Nathaniel W. Collins, Robert C. Palmer. George T. Edwards, Charles Ripley,

George W. Silvertooth, D. Howard Smith, James Sudduth, W. H. Wadsworth, D. K. Weis, John Williams, George Wright-26.

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Those who voted in the negative, were—

William L. Conklin, Overton P. Hogan, Shelby Stone, Samuel Howard, Tucker Woodson-6. William C. Gillis.

Resolved, That the title of said bill be as aforesaid.

Mr. Barlow, from the same committee, to whom was referred a bill relating to the late Keeper of the Penitentiary, reported same with an amendment as a substitute therefor.

Said bill reads as follows, viz:

Wheras, It is represented to the General Assembly that the amount appropriated by the Legislature for building the walls of the enlargement of the penitentiary was not sufficient to pay the reasonable cost thereof, and that the Keeper of the Penitentiary was necessarily compelled to erect said walls notwithstanding the loss arising therefrom: and whereas, it also appears, that owing to a fire which occurred in said penitentiary during the first year of said Craig being Keeper, and by which the workshop, tools, implements, stock, and manufactured articles were in a great measure consumed, the whole profits of the penitentiary for the two first years of said Craig being Keeper only amounted \$8,059 93, which sum the said Craig was by law compelled to pay for said two years to the State, as the State's share of the profits, whereby said Craig sustained a great loss, besides receiving no compensation for his services during those two years. For remedy whereof,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Commissioners of the Sinking Fund, in their settlement with said Craig, only charge him with two-thirds of the profits of the penitentiary for the two first years of his being Keeper as aforesaid, instead of the sum of ten thousand dollars; and also, in their said settlement, allow to the penitentiary a credit for the fair and reasonable cost of building said walls, not exceeding \$3 00 per perch of twent, four cubic feet.

The amendment reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Commissioners of the Sinking Fund be and they are hereby authorized and directed in their final settlement with Newton Craig, late agent and Keeper of the Penitentiary to allow the said Craig a further credit for the sum of two thousand six hundred and eighty-six dollars and sixty-four cents, being one-thhird of the net profits of said institution for the years 1844-5, which sum is allowed to said Craig in full discharge of all claims either in law or equity, which he, the said Craig, may have against the Commonwealth growing out of his connection with the Penitentiary. This act to take effect from and after its passage.

Mr. Wadsworth moved the previous question.

And the question being taken, shall the main question be now put? it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by the committee,

And it was decided in the affirmative.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being taken theron were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, Wiley S. Hay, John S. Barlow, Sylvester Harris,

Robert Blain, Samuel Howard, Shelby Stone, James F. Buckner, David Irvine, James Suddutl William C. Bullock, Theodore Kohlhass, C. J. Walton, John A. Cayan, John P. Martin, Tucker Woodson, John A. Cavan, John P. Martin, Tucker Woodson, William C. Gilliss, Robert C. Palmer, George Wright—22.

George W. Silvertooth, James D. Headley, D. Howard Smith, James Sudduth,

Those who voted in the negative, were-

Daniel Matthewson, W. H. Wadsworth, Overton P. Hogan, Jesse W. Burton, Jesse W. Burton,
William Howell,
William L. Conklin,
William Howell,
D. K. Weis-10 T. W. W. DeCourcey, John Q. A. King George T. Edwards,

Resolved, That the title of said bill be as aforesaid.

A message was received from the Governor by Mr. Bibb, assistant Secretary of State.

The rule of the Senate being dispensed with said message was taken up and read as follows, viz:

EXECUTIVE DEPARTMENT, Frankfort, February 27, 1856.

Gentlemen of the Senate:

I nominate for your advice and consent the following persons to be Notaries Public for the counties named, viz:

Thomas McQuerry, for Garrard county. Henry C. Bards, for Henderson county. Larkin Fullilove, for Jefferson county. Sherrod Williams, for Jefferson county. S. T. Green, for Madison county. J. M. Shackleford, for Madison county. Burris E. Pittman, for Muhlenburg county. Ben. Selby, for Marion county. Phil. R. Thompson, for Jefferson county. J. T. Sanders, for Jefferson county. Joseph Schoolfield, for Bracken county. W. C. Wood, for Jefferson county. John Dyer, for Washington county. James Morehead, for Breckenridge county, J. G. Leach, for Henry county. T. W. W. DeCourcey, for Campbell county. Thomas Ware, for Harrison county. William Sweeney, for Daveiss county. Caleb M. Matthews, for Henry county. Reuben T. Thornton, for Campbell county.

C. S. MOREHEAD.

Resolved, That the Senate advise and consent to said appointments.

Mr. Irvine, from the committee on Finance, to whom was referred a bill from the House of Representatives, entitled,

An act to increase the salary of the Register of the Land Office, Reported the same without amendment.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky: That the salary of the Register of the Land Office be increased to the sum of seventeen hundred dollars per annum, which sum he is authorized to draw quarterly from the Treasury. All former appropriations for salary to the Register of said office are hereby repealed. This act to take effect from its passage.

Mr. Weis moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wadsworth and Weis, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, James D. Hardin, Overton P. Hogan,

John P. Martin, C. J. Walton, D. K. Weis, George Wright-7.

Those who voted in the negative, were-

John S. Barlow, James F. Buckner, William C. Bullock, J. Woodson Burton, John A. Cavan, William L. Conklin, David Irvine.

Wiley S. Hay, James D. Headley, Samuel Howard, William Howell. T. W. W. DeCourcey, John Q. A. King, George T. Edwards, Theodore Kohlhass,

William C. Gilliss, Daniel Matthewson, Robert Blain, Sylvester Harris, Robert C. Palmer, Charles Ripley, George W. Silvertooth, D. Howard Smith, Shelby Stone, James Sudduth, W. H. Wadsworth, Tucker Woodson-27.

Mr. Allen moved to amend said bill as follows, viz:

Provided that the provisions of this act shall not apply to the present incumbent.

Mr. Weis moved the following amendment as a substitute for the bill and amendment proposed:

Strike out all after the enacting clause and insert

That there is hereby appropriated the sum of five hundred dollars per annum, to the Register of the Land Office, for the purpose of employing a clerk to prepare a cross-index of all the records in his office, and said Register shall appropriate the sum hereby appropriated to that purpose and to no other: Provided, however, That if said Register fails to employ a clerk, for the purpose aforesaid, he shall not have the right to draw the money hereby appropriated: And provided, further, That so soon as said cross-index shall have been completed, the appropriation hereby made shall cease.

Mr. Woodson moved the previous question.

And the question being taken, shall the main question be now put? it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Weis, and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Weis and Blain, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, James D. Headley, Overton P. Hogan,

Daniel Matthewson, C. J. Walton, George W. Silvertooth, D. K. Weis—7.

Those who voted in the negative, were-

John S. Barlow, James D. Hardin. Robert C. Palmer. Robert Blain. Sylvester Harris. Charles Ripley, James F. Buckner, Wiley S. Hay, D. Howard Smith, William C. Bullock, Shelby Stone, Samuel Howard, Jesse W. Burton. William Howell. James Sudduth, John A. Cavan. David Irvine, W. H. Wadsworth, William L. Conklin, John Q. A. King, John Williams. T. W. W. DeCourcey, Theodore Kohlhass, Tucker Woodson, George T. Edwards, John P. Martin, George Wright-28. William C. Gilliss,

The question was then taken on the adoption of the amendment proposed by Mr. Allen, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Allen and Hogan, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, Overton P. Hogan, D. K. Weis—5.

James D. Headley, C. J. Walton,

Those who voted in the negative, were-

John S. Barlow. James D. Hardin, Charles Ripley, Robert Blain. Sylvester Harris, George W. Silvertooth, James F. Buckner, Wiley S. Hay, D. Howard Smith, William C. Bullock, Samuel Howard, Shelby Stone, Jesse W. Burton, William Howell, James Sudduth, W. H. Wadsworth, John A. Cavan, David Irvine, William L. Conklin, John Q. A. King, John Williams. T. W. W. DeCourcy, Theodore Kohlhass, Tucker Woodson, George T. Edwards, John P. Martin, George Wright-29. William C. Gilliss, Daniel Matthewson.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was taken on the passage of said bill, and decided in the affirmative.

The yeas and nays being taken thereon, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow, Robert Blain, James F. Buckner, William C. Bullock, Jesse W. Burton, John A. Cavan. William L. Conklin, John Q. A. King,
T. W. W. DeCourcey, Theodore Kohlhass,
George Wright—26. George T. Edwards, Charles Ripley,

William C. Gilliss. Wiley S. Hay, Samuel Howard, William Howell, David Irvine.

George W. Silvertooth. Sylvester Harris, D. Howard Smith. Shelby Stone, James Sudduth. W. H. Wadsworth, John Williams,

Those who voted in the negative, were-

Charles H. Allen, James D. Hardin. James D. Headley,

Overton P. Hogan, Robert C. Palmer. John P. Martin, C. J. Walton, Daniel Matthewson,

D. K. Weis-9.

Resolved, That the title of said bill be as aforesaid.

Mr. Barlow, from the committee on Finance, to whom was referred a bill from the House of Representatives, entitled,

An act for the benefit of J. L. Jenkins, late Sheriff of Henry county, Reported the same without amendment.

The question was taken on ordering said bill to be read a third time, and it was decided in the negative.

The year and nays being required thereon, by Messrs. Hogan and King, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain, James F. Buckner, John Q. A. King,

Charles H. Allen, Overton P. Hogan, David Irvine, T. W. W. DeCourcey, Theodore Kohlhass,

Daniel Matthewson. George W. Silvertooth, James Sudduth-11.

Those who voted in the negative, were-

John S. Barlow, William C. Bullock, Jesse W. Burton, John A. Cavan, William L. Conklin. Sylvester Harris,

Wiley S. Hay, Samuel Howard, William Howell, John P. Martin, Shelby Stone, W. H. Wadsworth,

C. J. Walton, D. K. Weis, John Williams, Tucker Woodson, George Wright-17.

And so said bill was disagreed to.

Mr. Barlow moved a reconsideration of the vote disagreeing to said bill.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be placed in the orders of the day.

Mr. Barlow, from the committee on Finnance, reported a bill for the benefit of A. K. Gaines and James Marshall, of Boone county.

[FEB. 28.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be referred to a select committee of Ten—one from each congressional district.

Whereupon, Messrs. Silvertooth, Buckner, Edwards, Stone, Palmer, Sudduth, Martin, Bullock, Smith, and Hogan, were appointed as said committee.

Mr. Barlow, from the same committee, to whom was referred a bill from the House of Representatives, enitled,

An act for the benefit of John G. Shacklett,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The question was then taken on dispensing with the third reading of said bill, it was decided in the negative.

Mr. Blain, from the same committee, to whom was referred a bill fixing the compensation of Sheriffs for collecting the revenue, and prescribing the time for paying the same into the treasury.

Ordered, That said bill be made the special order of the day for Saturday next, March 1st, at half past ten o'clock, A. M., and that the Public Printer print 150 copies thereof, for the use of the General Assembly.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

EXECUTIVE DEPARTMENT, February 28, 1856.

Gentlemen of the Senate and House of Representatives:

I herewith transmit to you a preamble and resolutions adopted by the Legislature of Alabama, in reference to Railroad Iron.

A Preamble and Joint Resolutions to the Congress of the United States of America, in reference to duty on Railroad Iron.

Whereas, In many parts of the United States our rapid and improved system of railway improvements is comparatively in its infancy and thus far, in a very great degree, has been prosecuted by individual energy and enterprise, with individual and State capital and credit, unaided, except in a few instances and to a limited extent, by the means or credit of the General Government. The construction of sixteen thousand miles of Railroad, at an aggregate cost of more than seven hundred millions of dollars, has absorbed a large portion of the surplus capital of the country, in addition to calling into requisition the use of credits abroad, to a very considerable extent.

In common with many of the Southern and Western States, we are extensively engaged in constructing Railroads for the general improvement of the country in all its social and business relations, both at home and abroad. For the promotion of which our State Government has exhibited a well guarded policy. But from our past and present experience, the State aid proving inefficient, and in some degree unavailable for the purposes designated, much inconvenience and delay of our work has been and must be felt from the want of active capital in the Western States, and a healthier condition of monetary affairs throughout the whole country. The rapid extension throughout the civilized world of this new and highly important artificial mode of inter-communication, operating with other causes, has occasioned an unexampled increase in the demand for iron, followed by an unprecedented advance in the price of this article. The rails manufactured in the United States are wholly inadequate to supply the home demand-in fact not more than twentyfive per cent of this demand can be supplied by American Mills. Thus we are compelled to purchase three-fourths of our iron abroad or abandon our works in progress, or delay them to a ruinous extent. We say ruinous because it involves the loss of the local work already done upon them, without we receive some relief or assistance. Thus situated, with extensive and necessary works in progress, we seek from Congress, through your legislative aid, such material relief as a remission or postponement of duties for a few years on Railroad Bars would surely give, without detriment to the revenue system of the Govern-We say without detriment to the revenue, for the following reasons: First, That the construction and labor-saving powers of Railroads advance the population, wealth and revenue-paying capacity of the people more and faster than all other causes combined, as is fully proved by the fact that the work of transportation annually performed by the existing Railroads of the United States, cost the people thereof, one hundred millions of dollars less than if performed by animal power upon common roads. This saving is much greater than the whole revenue of the Government. Second, That the people of all the Western and South-Western States, are the greatest sufferers from the financial troubles that now embarrass the country is true, for the want of those facilities and aids to our industrial pursuits which Railroads so pre-eminently afford, and whilst the best efforts of our people are being extended to free themselves and their State from the unequal burthens that distance from the markets impose, we are crippled in our limited cash means by the requirement of the General Government to pay into the Treasury about one thousand three hundred dollars per mile, which is the cost of one mile of rails out of every three and one-third miles of constructed road, and at a time when the National Treasury is overflowing with an abundant revenue from other sources; there the money is idle and unnecessry; here all the interests of the country suffer for the want of it. The iron interests of our country, which is unreasonably opposed to this measure of relief to Railroad interests, in the place of being injured, will be benefitted by it. The estimate is to each mile of Railroad requiring one hundred tons of rails; an additional demand is created thereby for more than an equal value of all descriptions of merchantable iron needed for the cars, engines, buildings, and all branches of industry that are every where so wonderfully stimulated and extended by the use of Railways. Again, the iron works of the United States, by their limited capital, light-standing machinery, small

number of experienced workmen, and high rates of labor, are far better suited for the production of light merchant bars, than for the heavy and more difficult manufacture of rail bars.

These difficulties operate so strongly, that if Congress were to prohibit the importation of foreign rails, the American iron establishments could not for years supply one fourth of the demand for rail bars. Whereas, if all were imported duty-free, our roads would be sooner and cheaper made, and a much greater demand thereby created for all descriptions of iron; for the profitable production of which, the American works are generally adapted. Having been fostered by a thirty per cent. ad valorem duty during the last nine years, previous to which a higher duty prevailed, their works are far less capable of supplying the present demand for rails than they were that of 1846, and with a combined legislative grasp upon the whole, they have miserably failed, after thirteen year's protection since 1842, to supply one-eighth of the

quantity required by the country.

Where, then, is the wisdom or justice of continuing the duty on rail bars-unnecessary for revenue, ineffectual in overcoming the inherent difficulties in the way of American rail making, and exceedingly onerous upon all the agricultural States, and especially where money is always worth more than on the seaboard, and where distance from market renders the speedy completion of our Railroads a matter of the very first importance to our people, as well as to those of other States who consume our products. Having an overflowing national treasury, and believing as we do, that the condition of the country, facts, reason and policy all unite to sustain the immediate remission of the duty on rail bars, from 1850 indefinitely, nor would such a measure be new to the legislation of Congress, for the journals a few years back will show the admission of rail bars duty free for a limited period while the Atlantic States were establishing their railway system. Is it not equally just in principle, and practically at this time more important, to all the western men, who grow bread stuffs, tobacco, sugar and cotton, and to all the eastern men, who eat, smoke and spin, that the same aid of free rails should be extended to all the Western States? We claim the relief from Congress as just, expedient and right. We think this encouragement can be given to Internal Improvements that are offering so much prosperity to our whole country, without any inconvenience or embarrassment to her finances. Railroads for military and postal purposes, are of great value and convenience to the government, and the extension of them to every part of this Union, by the States, should receive every reasonable encouragement from the general government. They penetrate every interior and hitherto isolated section of our broad country, and connect them with the seaboard, thus giving to the surplus productions of industry, a cheap outlet to tide-water, whereby exports, and consequently our imports, are largely augmented, with a corresponding increase in the revenue of the government derived from import duties. If however, the tariff of 1846 is iron bound, and must stand entire, then were spectfully ask of Congress a postponement of duty collections, on a credit of six years for all rails imported and laid down from 1850 to 1864. Second to an entire remission of duty, this credit would be of very great service to the roads of our State, and could, from the open8.

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ing of the lines for traffic, be chiefly paid off by postal service during and at the end of the credit. As a condition upon which the collection of the duty on railroad iron is suspended, Congress might require the companies should give security at the office of customs for the service, or money on receiving the rails. By this arrangement the government would only lose the interest on the duties for a short time, whilst by this liberal policy, it would increase the speedy completion of the roads now in process of construction, and secure all the advantages, social, political and commercial, resulting from these enterprises; therefore—

1. Resolved by the Senate and House of Representatives of the State of Alabama, in General Assembly convened, That our Senators in Congress be instructed, and our Representatives requested, to use their efforts and influence for the passage of a law, at the present session of Congress, in one form or other, herein suggested, and prayed for in the foregoing

preamble.

2. Resolved, That we do hereby invite our sister States who feel interested in the progress of Internal Improvements, to co-operate and unite with us in soliciting Congress, through their respective legislatures, to grant the aid and relief prayed for in the foregoing preamble and resolutions.

3. Resolved, That the Governor of this State be requested to forward to each of our members in Congress, a copy of the foregoing preamble and resolutions, and also to forward a copy of the same to the Governors of the respective States of this Union, with the request to submit the same to their respective Legislatures.

APPROVED, February 15, 1856. JOHN A. WINSTON.

R. W. WALKER,

Speaker of the H. Rep,

BEN. C. YANCEY,

President of the Senate.

Ordered, That said message and accompanying documents be referred to the committee on Federal Relations, and that the Public Printer print 150 copies thereof for the use of the members of the General Assembly.

And then the Senate adjourned.

FRIDAY, FEBRUARY 29, 1856.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to bills from that House of the following titles, viz:

An act to amend the charter of the Dry Creek and Covington Turnpike road Company.

An act to amend and reduce into one, all the acts concerning the town of Bowlinggreen.

An to amend the charter of the town of Alexandria.

An act to change the time of holding the August term of the Laurel Quarterly Court.

That they had passed bills and concurred in a resolution from the Senate of the following titles, viz:

An act to incorporate the First Presbyterian Church, of Ashland.

An act to incorporate the Ebenezer Baptist Church, in Muhlenburg county.

An act to amend and reduce into one the several acts concerning the town of Ghent.

An act to incorporate Logan Lodge, No. 73, I. O. O. F., at Russelville, Kv.

An act to incorporate Merrick Lodge, No. 31, I. O. O. F. of the city of Lexington.

An act to change the time of holding the Warren and Edmonson Quarterly Courts.

An act to incorporate the Bourbon Female Institute, at North Middletown.

An act for the benefit of Thomas Terrill, of Ballard county.

An act to authorize the appointment of an additional Commissioner for the Jefferson County Court.

An act to authorize actions between the county of Jefferson and the city of Louisville.

An act changing the time of holding the Shelby Quarterly Court.

An act fixing the time of holding the Court of Claims in Bath county.

An act to authorize the Clerk of the Grant County Court to purchase deed books A and B, and transcribe the same.

An act regulating certain streets and buildings in the town of Williamsburg, and taxing certain buildings adjacent thereto.

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An act to repeal all acts to license Billiard Tables, Bowling Saloons, and Jenny Lind Tables.

An act to change the time of holding the Quarterly Courts in Henry county.

An act to change the time of holding the Quarterly Courts of Hardin county.

An act for the benefit of the late Sheriff of Lewis county.

An act to establish an additional election precinct and place of voting in Christian county.

An act to prescribe the western boundary of Flemingsburg.

An act authorizing the County Court of McLean to establish a ferry or purchase the present ferry over Green river, at Calhoun and Rumsey.

An act to change the time of holding the Lewis and Grayson Quarterly Courts.

An act to incorporate the Deposit Bank at Glasgow.

An act to incorporate the State Agricultural Society, and to give encouragement to all the arts and sciences connected therewith.

With an amendment to the last named bill.

Resolution in relation to the Hermitage.

That they had passed bills of the following titles, viz:

An act for the punishment of slaves in certain cases.

An act for the benefit of the Methodist Episcopal Church South, at Hartford.

An act incorporate Saint Paul's Church, Louisville.

An act to incorporate Christ Church, Louisville.

An act for the benefit of Vincent Taylor, of Cumberland county.

An act in relation to the Kentucky Penitentiary.

That they had received official information from the Governor that he had approved and signed enrolled bills and resolutions which originated in the House of Representatives, of the following titles, viz:

An act to amend the law regulating the sale of spiritous, malt and vinous liquors.

An act for the benefit of justices district No. 3, in Kenton county.

An act regulating the application of moneys arising from sales of vacant lands lying in Hart county.

An act to establish a Police Judge and Town Marshal in the town of Mt. Olivet, in Bracken and Nicholas counties.

An act for the benefit of John Philly.

An act to change the time of holding the Owsley Quarterly Court.

An act to authorize the Trigg County Court to change the State road from Hopkinsville to Cadiz.

An act to provide for holding terms of the Campbell Circuit Court in Newport.

An act to change the time of holding the Quarterly Courts in the counties of Barren and Monroe.

An act creating an additional justice's district in the county of Pulaski.

An act repealing an act incorporating the town of Barbourville.

An act for the benefit of the Circuit Court Clerk of Campbell county. An act to amend the charter of the city of Augusta.

Resolution extending the present session of the General Assembly to the 10th March, 1856.

Preamble and Resolutions in relation to the bill in favor of the soldiers of the Revolutionary War, introduced into the Senate of the United States by Senator Evans, of South Carolina.

Approved February 27, 1856.

FEB. 29.

The Senate took up for consideration a bill from the House of Representatives, entitled,

An act to establish the county of Metcalfe.

And the question being taken on the passage of said bill, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Wadsworth and Walton, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, William C. Gilliss, Robert Blain, James D. Hardin, George W. Silvertooth, Shelby Stone, George T. Edwards, Samuel Howard, George T. Edwards, Samuel Howard,

Those who voted in the negative, were-

John S. Barlow, Overton P. Hogan, Daniel Matthewson, Robert C. Palmer, William Howell, Nathaniel W. Collins, John Q. A. King William L. Conklin, Theodore Kohlhass, Tucker Woodson—15.

And so said bill was disagreed to.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Barlow, from the committee on Finance—A bill for the benefit of Benjamin Norman, of Boone county.

By same—A bill for the benefit of Aaron Johnson, of Laurel county. By. Mr. King, from same—A bill for the benefit of Braxton Small.

By Mr. Matthewson, from the committee on Education—A bill to incorporate the President and Board of Examination of Eddyville Female College.

By Mr. Wadsworth, from same—A bill to amend an act, entitled, an act to incorporate the Franklin Female Institute.

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By same—A bill to amend the charter of the Parochial School of the Hanging Fork Presbyterian Church.

By same—A bill to amend an act for the benefit of certain common school districts in Boyle and Mercer counties.

By same—A bill authorizing the sale of Franklin school house and lot, in Boyle county.

By same—A bill authorizing the sale of Cranetown school house, in Boyle county.

By same—A bill for the benefit of the School Commissioners of Owen county.

By same—A bill for the benefit of Ashland common school district, in Greenup county.

By same—A bill to establish the Academical Institute of Louisville. By same—A bill to incorporate and endow the Western Kentucky College.

By same—A bill to incorporate the Kentucky Christian Education Society.

By same—A bill for the benefit of the Daniel Boone Eclectic Institute.

By Mr. Matthewson, from the committee on Agriculture and Manufactures— Λ bill to incorporate the Union Mining and Manufacturing Company.

By same—A bill to incorporate the Logan county Agricultural and Mechanical Association.

By same—A bill to establish a uniform weight of coal.

By same—A bill to amend an act, entitled, an act to incorporate the Central Kentucky Agricultural and Mechanical Association.

Which were read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles, were reported from the several committees to whom they were referred, viz:

By Mr. Barlow, from the committee on Finance-

An act for the benefit of E. C. Ashcraft.

By same_one I but dield guddentill, our areacrosus or ass ca.

An act for the benefit of John Friend, jailer of Floyd county.

By Mr. Matthewson, from the committe on Education-

An act authorizing the sale and distribution of the Calloway county seminary lands.

By Mr. Wadsworth, from same-

An act for the incorporation of the Philomethian Society of Bethel College, in Russellville, Kentucky.

By same-

An act to incorporate the Barren river High School.

By same-

An act to incorporate the Columbia Baptist College.

By Mr. Burton, from same-

An act to incorporate the Columbia Male and Female High School.

By same—

An act appointing Trustees for the Hart county Seminary.

By same-

An act to amend an act, incorporating the Mount Hor Cemetery, in Kenton county.

. By same-

An act to incorporate the Belle Colline Female College, in Franklin county.

By same-

. An act to amend and change an act, to incorporate the Greenville Female College, approved February 11th, 1854.

By Mr. Matthewson, from the committee on Agriculture and Manufactures—

An act for the benefit of Iron Masters, in Lyon county.

By same—

An act to amend the charter of the Kentucky Ship Building and Lumber Company.

By same-

An act to revive and modify an act, entitled, an act to incorporate the Barren river Navigation and Manufacturing Company.

By same-

An act to incorporate the Nelson county Agricultural Society.

By same-

An act to incorporate the Cooke Coal and Iron Mining and Manufactoring Company.

By same-

An act to amend act, incorporating the Louisville Water Works Company.

By Mr. Wadsworth, from the committee on Education-

An act to incorporate the Millersburg Male and Female Collegiate Institute.

By Mr. Palmer, from the committee on the Sinking Fund-

An act to establish a Sinking Fund, for the county of Clarke.

By Mr. Wadsworth, from the committee on Education-

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With an amendment to the last named bill,

Which was concurred in.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Wadsworth, from the committee on Education, to whom was referred a bill from the House of Representatives, entitled,

An act for the benefit of the Kentucky Institution for the education of the blind.

An act to relieve common school districts not regularly reported.

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The year and nays being taken theron were as follows, viz:

Those who voted in the affirmative, were-

John S. Barlow,

Wiley S. Hay, James D. Hardin, Robert C. Palmer, George Wright-30.

John S. Barlow,
Robert Blain,
James D. Headley,
James F. Buckner,
William C. Bullock,
J. Woodson Burton,
William L. Conklin,
T. W. W. DeCourcey,
George T. Edwards,
William C. Gilliss,
William C. Gilliss,
William C. Gilliss,
Schert C. Palmer

Charles Ripley,
George W. Silvertooth,
D. Howard Smith,
James Sudduth,
W. H. Wadsworth,
C. J. Walton,
D. K. Weis,
John Williams,
Tucker Woodson,
George Wright, 20 Charles Ripley.

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Those who voted in the negative, were-Charles H. Allen, Nathaniel W. Collins, Shelby Stone-4. John A. Cavan.

Resolved, That the title of said bill be as aforesaid.

Mr. Wadsworth, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act to incorporate Bethal College, at Russellville,

Reported the same without amendment.

Said bill was then amended.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill boing dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid. Id bras to gettboor broses out or so not liver is time trait and party

The Senate took up for consideration a bill from the House of Representatives, entitled,

An act in relation to the Kentucky Penitentiary.

Which was read the first time and ordered to be read a second time. The constitutional provision as to the second reading of said bill being dispensed with,

It was referred to the committee on the Penitentiary.

The Senate took up for consideration, the objections of the Governor to a bill entitled,

An act to incorporate the bank of Harrodsburg, Kentucky,

And the question taken, shall the bill pass, the objections of the Governor to the contrary notwithstanding, and it was decided in the negative.

The year and nays being taken thereon, in pursuance of a provision of the constitution, were as follows, viz:

In the affirmative-none.

Those who voted in the negative, were-

John S. Barlow, Robert Blain, Robert Blain,
James F. Buckner,
C. Rollock,
William Howell, Jesse W. Burton, John A. Cavan, Nathaniel W. Collins, Theodore Kohlhass, William L. Conklin, George T. Edwards, William C. Gilliss, Wiley S. Hay,

James D. Headley, Overton P. Hogan, D. Howard Smith, Samuel Howard, David Irvine, John Q. A. King, John P. Martin, Daniel Matthewson, Robert C. Palmer, Charles Ripley,

George W. Silvertooth, Shelby Stone, James Sudduth, W. H. Wadsworth, C. J. Walton, D. K. Weis, John Williams, Tucker Woodson, George Wright-32.

Mr. Barlow, from the committee on Finance, reported a bill for the benefit of the Western Baptist Theological Institute.

Which was read the first time as follows, viz:

WHEREAS, It appears that the Western Baptist Theological Institute, a seminary of learning, located in the city of Covington, whose revenues are devoted to the preparation of young men for the christian ministry, has heretofore paid taxes upon her property, which under the laws of this Commonwealth were exempt from such taxation. Therefore-

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor of State, (upon satisfactory evidence being furnished to him of the amounts of the taxes paid by the said institute since the year 1845 up to the year 1855.) shall draw his warrant for the said amount upon the Treasurer for the same, who is hereby authorized and directed to pay said warrants to the said institute upon presentation.

Ordered, That said bill be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

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The question was taken on ordering said bill to be read a third time, ad it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Palmer and Martin, were as follows, viz:

Those who voted in the affirmative, were-

David Irvine, Theodore Kohlhass, D. Howard Smith-4.

John Q. A. King,

Those who voted in the negative, were-

Charles H. Allen,
John S. Barlow,
Robert Blain,
James D. Headley,
James F. Buckner,
William C. Bullock,
Nathaniel W. Collins,
William L. Conklin,
T. W. W. DeCourcey,
George T. Edwards,
Charles D. Hardin,
Willey S. Hay,
James D. Headley,
James Sudduth,
W. H. Wadsworth,
C. J. Walton,
Daniel Matthewson,
John Williams,
Tucker Woodson,
George T. Edwards,
George Wright—27.

And so the said bill was rejected.

Mr. Wadsworth, from the committee on Education, reported a bill to incorporate the Daniel Boone Military Institute.

Which was read the first time, and ordered to be read a second time. The constitutional provision as to the second and third readings of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Sudduth and Cavan, were as follows, viz:

Those who voted in the affirmative, were-

John S. Barlow,
Robert Blain,
James F. Buckner,
William C. Bullock,
Jesse W. Burton,
William L. Conklin,
James D. Headley,

Samuel Howard,
William Howell,
John P. Martin,
William Howard,
Wil

Those who voted in the negative, were-

Charles H. Allen,
John A. Cavan,
George T. Edwards,
William C. Gillis,
Wighted Daniel Matthewson,
James D. Hardin,
Wiley S. Hay,
Overton P. Hogan,
David Irvine,
John Williams—11.

Resolved, That the title of said bill be as aforesaid.

Mr. Woodson, from the committee on the Penitentiary, to whom was referred a bill from the House of Representatives, entitled,

An act in relation to the Kentucky Penitentiary, Reported the same with an amendment. Ordered, That the further consideration of said bill and amendment be postponed and made the special order of the day for the third of March next, at 11 o'clock, A. M.

Mr. Palmer, from the committee on the Sinking Fund, reported a bill authorizing the Commissioners of the Sinking Fund to loan any sur-

plus money they may have on hand.

Which was read the first time, and ordered to be read a second

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That the Public Printer forthwith print 150 copies thereof, for the use of the General Assembly.

Ordered, That Messrs. Edwards and Gillis be added to the committee on Enrollments.

Leave was given to bring in the following bills, viz:

On motion of Mr. King-1. A bill to amend the charter of the Savings Institution of Harrodsburg.

On motion of Mr. Irvine-2. A bill to incorporate Richmond Lodge,

No. 25, of Free and accepted Masons.

On motion of same—3. A bill to incorporate the Richmond Royal Arch Chaptor, No. 16.

On motion of Mr. Burton-4. A bill to renew and amend the Salt

river Turnpike Road Company.

Ordered, That the committee on Banks prepare and bring in the 1st; the committee on Revised Statutes, the 2nd and 3rd; and the committee on Internal Improvements, the 4th.

The Senate took up for consideration the amendment proposed by the House of Representatives to a bill from the Senate, entitled,

An act regulating the time of holding the Circuit Courts.

Resolved, That the Senate concur in the 2, 3, 4, 5, 10, 15, 16, and 17; disagree to 1, 6, 7, 8, 9, 11, 12, 13, and 14, of said amendments.

stronged the same with an engineering

And then the Senate adjourned.

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SATURDAY, MARCH 1, 1856.

A message was received from the House of Representatives, announcing their disagreement to a bill from the Senate, entitled,

An act the better to define usury.

That they had passed bills from the Senate of the following titles, viz: An act for the benefit of Jacob Rice, late Sheriff of Carter county.

An act to increase the powers and jurisdiction of the Mayor of the city of Newport.

An act to incorporate Napoleon Lodge, No. 216, of Free and Accepted Masons.

An act to incorporate Browiski Lodge, No. 64, Independent Order of Odd Fellows, Carrolton.

An act to incorporate Chapter No. 51, of Royal Arch, Free and Accepted Masons, in Gallatin county.

An act for the benefit of the late Sheriffs and deputy Sheriffs of Nicholas county.

An act for the benefit of the Sheriff of Bath county.

An act for the benefit of James Trimble, Clerk of Floyd county.

With amendments to the three last named bills.

That they had passed bills of the following titles: viz:

- 1. An act incorporating Pogue Lodge, No. 325, of Free and Accepted Masons.
- 2. An act incorporating Houstonville Lodge, No. 184, of Free and Accepted Masons.
- 3. An act incorporating Springfied Lodge, No. 139, of Free and Accepted Masons.
- 4. An act legalizing the locality of the first toll gate, from Danville to Crab Orchard.
- 5. An act to amend an act, entitled, an act to incorporate the Kentucky and Mutual Insuarance Company.
 - 6. An act to incorporate the Fuel Coal Company.
 - 7. An act to incorporate the Union Insurance Company of Louisville.
 - 8. An act to incorporate the Young America Insurance Company.
 - 9. An act to reduce the price of lands in Cumberland county.
 - 10. An act for the benefit of .he Clerk of the Marion Circuit Court
- 11. An act for the benefit of Thomas A. Ireland, Sheriff of Owen county.
- 12. An act for the benefit of Thomas B. Harrison, late Sheriff of Logan county.

- 13. An act for the benefit of the Clerk of the Oldham County and Circuit Courts.
- 14. An act for the benefit of James M. Speer, late Sheriff of Oldham
- 15. An act for the benefit of David Bailey, Sheriff of Harlan county.
- 16. An act to repeal an act authorizing Nathan May, of Daviess county, to peddle without license.
- 17. An act to reduce the price of vacant lands in the counties of Johnson and Floyd.
 - 18. An act for the bonefit of the kindred of Louisa Smith.
- 19. An act to incorporate the Commissioners of the Sinking Fund for Montgomery county.
- 20. An act to increase the fees of the Jail watch of the city of Lou-
- 21. An act for the benefit of the Masonic fraternity of the city of
- 22. An act to fix the time of holding the Quarterly Court in Barren county.

Which were read the first time, and ordered to be read a second

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred the 1st, 2d, 3rd, 5th, 7th, 8th, 18th, 20th, and 21st, to the committee on the Judiciary; the 4th, to the Committee on Internal Improvements; the 6th, to the committee on Agriculture and Manufactures; the 9th, 11th, 12th, 14th, 15th, and 16th, to the committee on Finance; the 10th, to the committee on Circuit Courts; the 13th, to the committee on Revised Statutes; the 17th and 22d, to the committee on County Courts; and the 19th, to the committee on the Sinking Fund.

The Senate resumed the consideration of a bill authorizing the Commissioners of the Sinking Fund to loan any surplus money they may have on hand.

Which reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, as follows: The Commissioners of the Sinking Fund are authorized to loan any surplus money they may at any time have on hand, by taking as security for the re-payment thereof the bonds of the State of Kentucky, bearing an interest of six per centum per annum, or if bonds bearing an interest of five per centum, an amount to make them equal to six per cent. bonds; or the stock of any incorporated bank of this State, whose stock at the time is selling in the market above its par value; to an amount equal to the sum loaned, estimating such bonds or bank stock at their nominal par value.

§ 2. The notes that may be taken by said commissioners for the loan

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of money, as authorized by the preceding section, shall be deposited in the office of the Auditor of Public Accounts for safe keeping. And if any note should not be paid at maturity, it shall be the duty of the Auditor, upon giving notice in the newspaper of the public printer not less than ten days, to sell to the highest bidder for cash, before the door of the State House in Frankfort, the bonds or stock so pledged for the payment of the principal sum of said loan and any interest that may have accrued thereon, together with the costs of advertising the sale.

§ 3. If the sale of the bonds or stock so pledged do not realize the full amount of the principal and interest of the note, and the cost of advertising, it shall be the duty of the Commissioners of the Sinking Fund to cause the proper action to be instituted by the Attorney General in the Franklin Circuit Court, for the recovery of any balance remaining due on such note; and the service of process by the Sheriff of any county in the State, ten days or more before the first day of the term of the court succeeding the institution of the action, shall authorize the rendition of a judgment against the defendant or defendants.

§ 4. A note taken by said commissioners for the loan of money under this act, shall refer to it, and bind the obligor or obligors to comply with its provisions.

§ 5. Said commissioners shall prescrible the form of a power of attorney and other necessary writings to be executed by the person or persons who may pledge bank stock as a security for money loaned under this act, so that, in the event of a sale thereof, as herein provided, the purchaser thereof will be vested with a good title to the same.

§ 6. This act shall be in force from its passage.

Mr. Hardin moved to amend said bill as follows, viz:

After the word "bonds," in the 1st section, where it occurs the third time, add the words "or real estate."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Hardin and Conklin, were as follows, viz:

Those who voted in the affirmative, were-

John S. Barlow, James D. Headley, Nathaniel W. Collins, John Q. A. King, James D. Hardin, James D. Hardin, James D. Headley, C. J. Walton-7.

Those who voted in the negative, were-

Robert Blain, William C. Gilliss, Robert C. Palmer, James F. Buckner, Wiley S. Hay, George W. Silvertooth, William C. Bullock, Overton P. Hogan, D. Howard Smith, Samuel Howard, Jesse W. Burton, W. H. Wadsworth, William Howell, John A. Cavan, D. K. Weis William L. Conklin, David Irvine, John Williams, T. W. W. DeCourcey, Theodore Kohlhass, Tucker Woodson, George T. Edwards, Daniel Matthewson, George Wright-24. Mr. Wadsworth moved to amend said bill by adding to the first section thereof, the following proviso:

Provided, That if at any time, any bond or stock deposited under the provisions of this act should fall to par, it shall be the duty of the commissioners immediately to call in the loan thus secured, or require an additional deposit of stock of a character and to an amount satisfactory to the commissioners; and upon failure to pay the loan, or deposit additional security as aforesaid, the bonds or stocks on deposit shall be put to sale, as hereinafter provided.

Which was adopted.

Mr. Hardin moved further to amend said bill as follows:

Strike out that portion of the first section printed in italics.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Martin and Weis, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, James D. Hardin, Overton P. Hogan, John P. Martin, Daniel Matthewson, D. K. Weis—9.

Those who voted in the negative, were-

T. W. W. DeCourcey, Theodore Kohlhass, John S. Barlow, George T. Edwards, Robert C. Palmer, Robert Blain, James F. Buckner, William C. Gilliss, Charles Ripley, William C. Bullock. Wiley S. Hav, George W. Silvertooth, James D. Headley, Jesse W. Burton. D. Howard Smith, Samuel Howard, John A. Cavan, W. H. Wadsworth, Nathaniel Collins, William Howell, Tucker Woodson. William L. Conklin, David Irvine, George Wright-24.

Ordered. That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Allen and Blain, were as follows, viz:

Those who voted in the affirmative, were—

Robert Blain, William C. Gilliss, George W. Silvertooth, James F. Buckner, Wiley S. Hay, D. Howard Smith, Samuel Howard, William C. Bullock, W. H. Wadsworth, Jesse W. Burton, David Irvine. John Williams, John A. Cavan, Theodore Kohlhass, Tucker Woodson, Robert C. Palmer, William L. Conklin, George Wright-20. George T. Edwards, Charles Ripley,

Those who voted in the negative, were-

Charles H. Allen, James D. Headley, Daniel Matthewson, John S. Barlow, Overton P. Hogan, James Sudduth,

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Nathaniel W. Collins, William Howell, C. J. Walton, T. W. W. DeCourcey, John Q. A. King, James D. Hardin, John P. Martin, D. K. Weis—14.

The Senate took up for consideration the bill to provide for the prosecution of the Geological, Mineralogical, Chemical, Topographical, and Agricultural survey of the State.

Said bill reads as follows, viz:

§ 1. Beit enacted by the General Assembly of the Commonwealth of Kentucky, That the State Geologist be authorized [to organize two topographical corps, by and with the consent of the Governor—one to operate in the western division of the State, and one in the eastern division, in order] to carry forward the geological survey with as much dispatch as is consistent with accuracy and minuteness, so as to develope the mineral resources of the State, and at the same time construct geographical and geological maps, showing its geological and topographical features—commencing such surveys in the mineral regions of the State.

§ 2. That chemical analyses shall be made of all ores, minerals, rocks, marls, and other materials of economical value; also of the soils derived from the different geological formations, or such as present peculiar agricultural interest; also, all natural waters to which medicinal or deleterous influences may be ascribed.

§ 3. It shall be the duty of the State Geologist and his assistants to continue the collection of all objects of geological, mineralogical, and scientific interest, to be placed in the State collection in the south-west

room of the capital.

§ 4. It shall be the duty of the State Geologist to report, from time to time, to the Governor, all important discoveries, who shall lay the same before the people during the recess of the Legislature, in some public journal.

§ 5. It shall further be the duty of the State Geologist to make to the Governor a full geological report of the discoveries of and the operations of the geological corps, which report shall be printed and laid before the Legislature at their meeting in 1857 and 1858.

§ 6. It shall further be the duty of the State Geologist and the heads of the geological corps to communicate such information as may be

obtained by them to the citizens of the State.

§ 7. That for the purpose of carrying into effect this act the sum of — per annum, be, and the same is hereby appropriated, to be expended within the next two years under the direction of the Governor: Provided, however, that the principal geologist shall not receive more than seven dollars, nor the assistants more than five dollars per day each, for the time they are in actual service; and, provided that the survey shall be carried forward simultaneously in the eastern and western mineral regions of the State, by the topographical corps, while the geological reconnoissance is extended over the counties not yet explored by the principal geologist.

§ 8. Be it further enacted, That the principal geologist, or such of his assistants as he shall authorize in writing, shall have access to the records, plats, profiles, maps, field-books and notes of all surveys of roads.

canals, rivers and railroads, which have or may hereafter be made, in this State, with full authority to make such copies or extracts from the same as shall be deemed useful and necessary for facilitating and ex-

pediting the geological survey of the State.
§ 9. That so much of an act, entitled, an act to provide for a geological and mineralogical survey of the State, approved March 6th, 1854, as is not inconsistent with the provisions of this act, be and the same is hereby re-enacted: Provided, that so much of the third section of said act as requires the State Geologist or his assistants to deposit specimens of minerals, &c., in the clerk's office of the different counties, be and the same is hereby repealed.

Mr. Weis moved to fill the blank in seventh section of said bill by inserting the words "fifteen thousand dollars per annum."

And the question being taken thereon, it was decided in the nega-

The yeas and nays being required thereon, by Messrs. Hogan and Palmer, were as follows, viz:

Those who voted in the affirmative, were-

James F. Buckner, James D. Headley, D. C. Smith, Wm. C. Bullock, John P. Martin, John A. Cavan, Robert C. Palmer, George T. Edwards, Charles Ripley, Tucker Woodson—12.

Those who voted in the negative, were-

John S. Barlow, James D. Hardin, Robert Blain, Wiley S. Hay, Jesse W. Burton, Nathaniel W. Collins, Samuel Howard, William L. Conklin, T. W. W. DeCourcey, David Irvine, William C. Gilliss, John Q. A. King

Theodore Kohlhass, Daniel Matthewson, George W. Silvertooth, James Sudduth, W. H. Wadsworth, John Williams, George Wright—21.

Mr. Weis then moved to fill the blank with the words "ten thousand dollars per annum."

And the question being taken thereon, it was decided in the nega-

The yeas and nays being required thereon by Messrs. Martin and Wright, were as follows, viz:

Those who voted in the affirmative, were-

James F. Buckner,
William C. Bullock,
John A. Cavan,
William L. Conklin,
George T. Edwards,
James D. Headley,

Overton P. Hogan,
David Irvine,
David Irvine,
David Rivine,
D. Howard Smith,
C. J. Walton,
D. K. Weis,
Tucker Woodson—16.

Those who voted in the negative were-

John S. Barlow, James D. Hardin, George W. Silvertooth, Robert Blain, Wiley S. Hay, James Sudduth,

Jesse W. Burton, Samuel Howard, W. H. Wadswo Nathaniel W. Collins, William Howell, John Williams, Jesse W. Burton, T. W. W. DeCourcey, John Q. A. King, George Wright-17. William C. Gillis, Daniel Matthewson,

W. H. Wadsworth,

Mr. Weis then moved to fill the blank with the words "seven thousand five hundred dollars per annum."

And the question being taken thereon, it was decided in the affirma-

The yeas and nays being required thereon by Messrs Weis and Martin, were as follows, viz:

Those who voted in the affirmative, were-

James F. Buckner, Wiley S. Hay, William C. Bullock, Overton P. Hogan, John A. Cavan, Nathaniel W. Conklin, Theodore Roman William L. Conklin, John P. Martin, Theodore Kohlhass,

James D. Headley, Charles Ripley, C. J. Walton. D. K. Weis, Tucker Woodson—18.

Those who voted in the negative, were-

John S. Barlow, Robert Blain, Jesse W. Burton, William Howell, W. H. Wadsworth, T. W. W. DeCourcey, John Q. A. King, John Williams,

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James D. Hardin, George W. Silvertooth, James Sudduth, William C. Gilliss, Daniel Matthewson, George Wright-15.

Mr. Conklin moved to strike out the proviso in the 9th section of the amir bridt a base of bolomens on

And the question being taken thereon, it was decided in the affirma-

The yeas and nays being required thereon, by Messrs. Sudduth and Walton, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, James D. Hardin, John P. Martin, John S. Barlow, Wiley S. Hay, Robert Blain, James D. Headley, Robert C. Palmer. William L. Conklin, David Irvine, John Williams, T. W. W. DeCourcy, John Q. A. King, William C. Gillis, Theodore Kohlhass,

Daniel Matthewson, William C. Bullock, Overton P. Hogan, George W. Silvertooth, Jesse W. Burton, Samuel Howard, James Sudduth, John A. Cavan, William Howell, W. H. Wadsworth, George Wright-26.

Those who voted in the negative, were-James F. Buckner, Charles Ripley, D. K. Weis, Nathaniel W. Collins, D. Howard Smith, Tucker Woodson—8. George T. Edwards, C. J. Walton,

Mr. Irvine moved a re-consideration of the vote by which the 7th section was filled with seven thousand five hundred dollars per annum.

And the question being taken thereon, it was decided in the nega-

The yeas and nays being required thereon, by Messrs. Wright and Blain, were as follows, viz:

Those who voted in the affirmative, were-

James F. Buckner, William C. Bullock, John A. Cavan, Overton P. Hogan,

Charles H. Allen, David Irvine, D. Howard Smith, Theodore Kohlhass, John P. Martin, Robert C. Palmer, Charles Ripley,

C. J. Walton, D. K. Weis, Tucker Woodson-14.

Those who voted in the negative, were-

John S. Barlow, Robert Blain, Jesse W. Burton, Nathaniel W. Collins, Samuel Howard, William L. Conklin, T. W. W. DeCourcey, John Q. A. King,

William C. Gillis, James D. Hardin, Wiley S. Hay, William Howell,

Daniel Matthewson. George W. Silvertooth, James Sudduth, W. H. Wadsworth, John Williams, George Wright-18.

Mr. Cavan moved to amend said bill as follows:

First section, strike out the word "authorized" printed in italies, and insert in lieu thereof the word "required." Strike out all of the 1st section enclosed in bracketts.

And the question being taken thereon, it was decided in the negative.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was taken on the passage of said bill, and it was de-

cided in the negative. The yeas and nays being required thereon, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen. James F. Buckner, William C. Bullock, David Irvine. Nathaniel W. Collins, Theodore Kohlhass, William L. Conklin, George T. Edwards,

Wiley S. Hay, Overton P. Hogan, John P. Martin, Robert C. Palmer,

Charles Ripley, D. Howard Smith, C. J. Walton, D. K. Weis, John Williams, Tucker Woodson-18.

Those who voted in the negative, were-

John S. Barlow, Robert Blain, J. Woodson Burton, John A. Cavan, T. W. W. DeCourcey, John Q. A. King,

William C. Gilliss, James D. Hardin, Samuel Howard, William Howell,

Daniel Matthewson, George W. Silvertooth, James Sudduth, W. H. Wadsworth, George Wright-15.

So the said bill was rejected, a majority of all the Senators elect not voting therefor.

Mr. Matthewson, from the committee on Agriculture and Manufactures, to whom was referred a bill from the House of Representatives, entitled, . Tasqued equerosoft tologost oil exercitos at its at its

An act to incorporate the Harrison county Agricultural and Mechanical Association,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, d. An act to amend the common school laws.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Matthewson, from the same committee, reported a bill to incorporate the State Mining, Manufacturing and Building Company.

Which was read the first time, and ordered to be read a second time. The constitutional provision as to the second reading of said bill being dispensed with, a sold appeal arises destroops and are the sold

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Said bill was amended. Ordered, That said bill, as amended, be engrossed and read a third time. old release llewest le ersee vienes al evireitue el ter al

The constitutional provision as to the third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Ripley, from a select committee, reported a bill to amend the charter of the city of Louisville.

Which was read the first time and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass and that the title thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. DeCourcey-1. A bill to amend the charter and laws of city of Newport.

On motion of Mr. Silvertooth-2. A bill authorizing the County Court of Hickman to issue tax warrants in favor of the Mobile and Ohio Railroad Company.

On motion of Mr. Buckner-3. A bill to incorporate the South Kentucky Mining and Manufacturing Company.

Ordered, That the committee on Revised Statutes prepare and bring in the 1st; and the committee on the Judiciary the 2d and 3d.

On motion of Mr. Blain, leave of absence was granted to Mr. Hardin until Tuesday next.

Bills from the House of Representatives of the following titles were severally read the first time, viz:

1. An act to incorporate the People's Insurance Company.

2. An act to regulate the duties of county and commonwealth's attorneys.

3. An act to provide for the removal of the remains of Gen. George Rogers Clarke to the Frankfort Cemetery, and the erection of a monument to his memory.

4. An act to amend the common school laws.

5. An act to incorporate the Catlettsburg and Louisa Turnpike Road Company.

6. An act to incorporate the Kentucky and Henderson Mutual Insurance Company.

7. An act to amend the charter of the Falls City Bridge Company.

8. An act for the benefit of William Watson.

9. An act to incorporate Loraine Lodge, No. 4, of the I.O.O.F.

10. An act to incorporate Tompkinsville Lodge, No. 225, of Free and Accepted Masons.

11. An act to authorize the county courts of Powell, Owsley, Morgan, Breathitt, Perry, and Letcher counties to construct a road from Stanton, in Powell county, to the Virginia State line.

12. An act to incorporate the town of Paradise.

13. An act for the benefit of James H. Holladay and John G. Parks. adm'rs of Lewis H. Arnold, deceased.

14. An act to change the time of holding the Nicholas County Court.

15. An act to change the time of holding the Court of Claims in Madison county.

16. An act for the benefit of Daniel G. Colyer, late sheriff of Rockcastle county.

17. An act for the benefit of the heirs of Benoni Hotchkiss and A. F. Gowdy.

18. An act for the benefit of the town of Bradfordsville.

19. An act for the benefit of William B. Johnson, late sheriff of Laurel county.

20. An act to change the time of holding the Pulaski Quarterly

21. An for the benefit of Barbette Rosenthal.

22. An act for the benefit of James M. Thurman, of Bullitt county.

23. An act for punishing negro stealing.

24. An act to incorporate the trustees of the Pleasant Grove Presbyterian Church, in Washington county.

25. An act to change the time of holding the Quarterly Courts of Green county.

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26. An act for the benefit of the administrators of John Gilbert deceased.

27. An act to incorporate Taylor Lodge, No. 34, I. O. O. F.

28. An act to incorporate Ion Lodge, No. 301, of Free and Accepted Masons.

29. An act to incorporate Good Samaritan Lodge, No. 174, of Free and Accepted Masons.

30. An act to incorporate the Second Presbyterian Church, at Covington.

31. An act to incorporate Gordonsville Lodge, No. 217, of Free and Accepted Masons.

32. An act to incorporate Bland Ballard Lodge, No. 38, I. O. O. F.

33. An act to incorporate McLean Lodge, No. 120, I. O. O. F.

34. An act to incorporate Rusling Lodge, No. 112, I. O. O. F.

35. An at to cause writings to be made in the English language.

36. An act to incorporate Schiller Lodge, No. 64, I. O. O. F.

37. An act for the punishment of slaves in certain cases.

38. An act for the benefit of the Methodist Episcopal Church South, at Hartford.

39. An act incorporate Saint Paul's Church, Louisville.

40. An act to incorporate Christ Church, Louisville.

41. An act for the benefit of Vincent Taylor, of Cumberland county. Ordered, That said bills be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

They were referred, the 1st, 6th, 7th, 9th, 10th, 12th, 21st, 22d, 23d, 27th, 28th, 29th, 31st, 32d, 33d, 34th, 36th, and 37th to the committee on the Judiciary; the 2d, 11th, 14th, 17th, 18th, 20th, and 25th to the committee on County Courts; the 3d, 13th, 16th, 19th, and 26th to the committee on Finance; the 4th and 35th to the committee on Education; the 5th and 8th to the committee on Internal Improvement; the 15th to the committee on Revised Statutes; the 24th, 30th, 38th, 39th, 40th, and 41st to the committee on Religion.

The Senate took up for consideration the amendments proposed by the House of Representatives to bills from the Senate, of the following titles, viz:

An act for the benefit of the late Sheriffs and Deputy Sheriffs of Nicholas county.

An act to amend the several acts in relation to pedlers.

An act for the benefit of the Sheriff of Bath county.

An act for the benefit of James Trimble, Clerk of Floyd county. Which were severally concurred in.

pige Company.

The Senate took up for consideration the amendments proposed by the House of Representatives, to a bill from the Senate, entitled,

An act to incorporate the Kentucky State Agricultural Society, and to give encouragement to all the arts and sciences connected therewith.

Ordered, That said bill and amendments be referred to the committee on Agriculture and Manufactures.

Also, a resolution from the House of Representatives in relation to the erection of a public Mausoleum in the Frankfort cemetery.

Ordered, That said resolution be referred to the committee on Fiance.

32. An act to incorporate Relieva Lodge No. 190 1 Q. O. Ft. act. An act to incorporate Rusling Lodge No. 192 1 Q. Q. T. C. St. An act to cause writing to be made in the Conflict languages St. An act to incorporate Schilder Lodge, No. 54, 1, Q. Q. F. St. An act for the punishment of alayers in certain cases.

38. An act for the benefit of the Methodist Epinophi Charch Scotting at

And then the Senate adjourned.

MONDAY, MARCH 3, 1856.

A message was received from the House of Representatives announcing that they had passed bills from the Senate of the following t tles, viz:

An act to incorporate the Merchants Deposit Bank of Danville.

An act to incorporate the Deposit Bank of Lebanon.

An act to amend an act, entitled, an act to incorporate the Perryville ane Mitchelsburg Turnpike road, approved March 18, 1854.

An act to amend the charter of the Helena Turnpike road Company.

An act to amend the charter of the Knob Lick Turnpike road Company.

An act to incorporate the Hickman and Graves County Plank Road

Company.

An act to incorporate the Stoney Hill Turnpike road Company.

An act to amend an act incorporating the Jamestown Turnpike Company, approved March 1, 1824.

An act to amend the charter of the Covington and Lexington, and

Lexington and Danville Railroad Companies.

An act to incorporate the Muhlenburg Mining and Manufacturing Company.

An act to amend an act, entitled, an act to incorporate the Franklin

and Owen Turnpike Company.

An act to amend the charter of the Lexington and Richmond Turn-pike Company.

An act to incorporate the Cumberland River Coal and Lumber Company.

An act to amend the charter of the Bardstown and Louisville Rail-railroad Company.

An act to incorporate the Burksville and Columbia Turnpike Company.

An act to incorporate the Paducah and Blandville Turnpike Company.

An act for the benefit of the Foster Turnpike Company.

An act to amend an act, entitled, an act to incorporate the Hickman and State Line Plank Road Company.

An act to incorporate the Kentucky and Tennessee Mining and Manufacturing Company.

An act to incorporate the Barren County and Mammoth Cave Plank road Company.

An act to amend the charter of the Henderson and Hibbardsville Plank road Company.

An act to amend the charter of the Mobile and Ohio Railroad Company, approved February 26, 1848; and the charter of the New Orleans and Ohio Railroad Company, approved January 9, 1852.

An act fixing the time of holding the Chancery and Criminal Courts in the 1st judicial district.

An act to provide for a place of voting in — district in Bath county, instead of the Olympian Springs.

With amendments to the two last named bills.

Which were concurred in.

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That they had passed bills of the following titles, viz:

- 1. An act to establish the Deposit Bank of Winchester.
 - 2. An act to regulate turnpike tolls.
- 3. An act for the benefit of W. B. A. Baker, late Sheriff of Mason county.
- 4. An act for the benefit of John Ripey.
 - 5. An act for the benefit of Carolina B. Anderson.
- 6. An act to change the time of holding the Breckinridge and Ohio Quarterly Courts.
- 7. An act for the benefit of James M. Smith and John Wesley Shelley.
- 8. An act to incorporate Bigham Lodge, No. 256, of Free and Accepted Masons.
- 9. An act to change the time of holding the next term of the Bath Circuit Court.
- 10. An act to authorize the County Court of Floyd county to establish a ferry on Big Sandy.

- 11. An act for the benefit of the estate of Joseph Robb, dec'd.
- 12. An act to change the May term of the County Court of Gallatin county.
 - 13. An act for the benefit of the Jailor of Graves county.
- 14. An act empowering the Judge of Hardin county to change the places of voting in the precincts of said county.
 - 15. An act concerning the town of Versailles.
- 16. An act to authorize the Whitley County Court to change the State Road from Williamsburg to the State Line.
- 17. An act to incorporate Claysville Division No. 346, Sons of Temperance
- 18. An act to continue in force an act to incorporate the town of Port Royal, Henry county.
- 19. An act to amend the charter of the Louisville and Newport branch Railroad Company.
- 2). An act for the benefit of the Louisville and Cane Run Plank Road Company.
- 21. An act for the benefit of the administrator of John M. Dyer, deceased.
 - 22. An act for the benefit of the mechanics of McLean county.
 - 23. An act for the benefit of the iron masters of Muhlenburg county.
 - 24. An act to change the time of holding the Bracken County Court.
 - 25. An act to incorporate the Nashville and Rowena Coal Com-
- 26. An act to authorize the Judge of the Breathitt County Court to establish an additional voting precinct and place of voting in said county.
- 27. An act to authorize the County Judge to extend the boundary of the election precincts in Ohio county.
- 28. An act to amend an act, entitled, an act to amend the several acts in relation to pedlers.
- 29. An act to change the time of holding the Whitley Quarterly Courts.
 - 30. An act for the benefit of certain clerks of this Commonwealth.
 - 31. An act for the benefit of certain sheriffs of this Commonwealth.
 - 32. An act to incorporate the Deposit Bank of Springfield.
- 33. An act to incorporate the Hamilton and Florance Turnpike Road Company.
- 34. An act for the benefit of the mechanics and laborers of Oldham, Hickman, Garrard, and Hancock counties.
 - 35. An act for the benefit of Charles Stucker.
- 36. An act to incorporate the Ballard and Graves county Railroad Company.

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37. An act to amend the charter of the Twelve Mile Turnpike Company.

38. An act declaring Rockcastle creek, in Johnson county, naviga-

39. An act to amend the charter of the Elizabethtown and Bell's Tavern Turnpike road Company.

Which were read the first time, and ordered to be read a second time. speed arrangle ve assent berlanergaled area tan anerg of

The constitutional provision as to the second reading of said bills being dispensed with—the 1st and 32d were referred to the committee on Banks; the 2d, 15th, 18th, 19th, 32d, 37th, 38th and 39th to the committee on Internal Improvement; the 3d, 7th, 30th and 31st to the committee on Finance; the 4th, 5th, 8th, 10th, 12th, 14th, 16th, 17th, 20th, 21st, 22d, 27th, 28th, 34th and 36th, to the committee on the Judiciary; the 6th, 9th and 35th were ordered to be read a third time; the 11th, 13th, 23d, 25th, 26th and 29th to the committee on County Courts; the 24th to the committee on Agriculture and Manufactures.

The constitutional provision as to the third reading of the 6th, 9th and 35th of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. King presented the remonstrance of sundry citizens of the town of Hickman, remonstrating against an amendment of the charter of said town.

Which was received, the reading dispensed with, and referred to a select committee consisting of Messrs. Silvertooth, King and Howell.

Mr. Conklin, from the committee on Federal Relations, to whom were referred preamble and resolutious from the House of Representatives in relation to the repeal of the Missouri Compromise and Kansas-Nebraska act.

Reported the same without amendment.

Mr. Wadsworth moved the previous question.

And the question being taken, shall the main question be now put? it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Allen and Martin, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain, William C. Gillis, John Q. A. King, James F. Buckner, William T. Haggin, Theodore Kohlhass, William C. Bullock, Wiley S. Hay, Shelby Stone, James Sudduth,

Nathaniel W. Collins, William Howell, W. H. Wadsworth, William L. Conklin, David Irvine, Tucker Woodson-18. proper tribunal; and to deflay the expenses incluent to such modeled-

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Those who voted in the negative were-

Charles H. Allen, James D. Headley, Robert C. Palmer, John S. Barlow, Overton P. Hogan, John A. Cavan, John P. Martin, D. K. Weis—11.

T. W. W. DeCourcey, Daniel Matthewson,

The question was then taken on concurring in said resolutions, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Hogan and Wadsworth, were as follows, viz:

Those who voted in the affirmative, were-

Charles Ripley, William C. Gilliss, Robert Blain. Shelby Stone, James F. Buckner, William T. Haggin, Wiley S. Hay, James Sudduth, Wm. C. Bullock, W. H. Wadsworth, Samuel Howard, Jesse W. Burton, John Williams, David Irvine, John A. Cavan, Tucker Woodson-20. Nathaniel W. Collins, John Q. A. King William L. Conklin, Theodore Kohlhass,

Those who voted in the negative, were-

Charles H. Allen, Overton P. Hogan, Robert C. Palmer, George W. Silvertooth, T. W. W. DeCourcey, John P. Martin, James D. Headley, Daniel Matthewson, D. K. Weis-12.

Mr. Conklin, from the same committee to whom were referred resolutions from the House of Representatives, in relation to the alledged claims of the United States to Wolf Island,

Reported the same with a supplement thereto.

The resolutions read as follows, viz:

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That the senators and representatives in Congress from this State be requested to procure the passage of an act of Congress relinquishing all claims the United States may have to the Island in the Mississippi river, opposite to the county of Hickman in the State of Kentucky, known as Wolf Island.

2. If the passage of such an act cannot be obtained, to apply to the proper officer at Washington to suspend the contemplated sale of Wolf Island in May next, until the question of boundary between this State and Missouri is definitively settled, in order to ascertain which of said

States has the right of jurisdiction over said Island.

3. That the Governor be requested to transmit to each of the senators and representatives in Congress from this State a copy of the fore-

going report and resolutions.

4. Be it further resolved, That for the purpose of having a definitive settlement of the boundary between this State and the State of Missouri, the Governor be requested to take the necessary steps to effect that object, either by a reference to disinterested and discreet persons, not exceeding three in number, neither of whom to be citizens of a State that borders on the river Mississippi, or by a suit in equity in the proper tribunal; and to defray the expenses incident to such proceed-

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ne dings, the Governor is authorized to receive from the treasury the necessary sums of money, not exceeding however, in the aggregate, \$1,500 dollars. CHARLES A. MARSHALL, Chairman H. R. C.

The supplement reads as follows, viz:

The committee on Federal Relations, to which was referred the report and resolutions from the House of Representatives relative to the alleged claim of the United States to Wolf Island, concur in the report and resolutions, and would respectfully submit the following as a sup-

plement to the report:

They find from the response of Andrew McKinley, Register of the Land Office of Kentucky, to a resolution of the Senate adopted 14th inst., that Virginia, as early as the year 1782, prior to the definitive treaty with Great Britain, claimed Wolf Island as part of her soil. That on the 25th February, 1782, Jacob Myers and William Shannon, as tenants in common, entered 5,000 acres of land on Wolf Island, upon Virginia Treasury warrants. The Register's response, marked (A), is filed herewith.

The committee is informed that some thirty odd years ago one Joseph Edrington settled on Wolf Island upon said entry, claiming under Jacob

They are also informed, that at the time of the early settlement of the country the navigation and main body of the waters of the Mississippi river at Wolf Island was on the West or Missouri side, leaving the island within the boundary of Kentucky. If that be true, (and the et lement and continued occupancy of the island by persons who have exercised all the rights and privileges under, and been governed by, the laws of Kentucky, is persuasive argument of the fact.) the committee would say that no freak of the Mississippi river, in changing the volume of its waters from one to the other side of the island, could have the effect of making those persons living upon it residents of the State of Kentucky at one time and of Missouri at Respectfully submitted,

W. L. CONKLIN, Chairman S. C.

LAND OFFICE OF KENTUCKY, February 19, 1856 (

HON. J. G. HARDY, Speaker of the Senate:

I find the following entry of record in this office, and as it relates to the claim of Virginia to Wolf Island prior to the treaty of 1783. I think it my duty, in compliance with a resolution of the Senate of the 14th

inst., to transmit a copy to you, to be laid before the Senate.

"February 25, 1782.—Jacob Myers and William Shannon, as tenants in common, enter 5,000 acres of land upon five treasury warrants; 3,000 acres of said warrants issued in the said Myers' name, Nos. 7,070, 7,100, 7,099, the balance as assignee of Clough Overton, and Nos. 8,032,8,033, beginning at the lower end of the arable land, in the big island nearly in the middle of the Mississippi river, opposite the Iron Banks, computed to be about eighteen miles below the mouth of the

Ohio, thence to extend up both sides of the island so as to include all the ground on the same fit for cultivation."

This entry has not been surveyed or carried into grant, nor has it been withdrawn.

ANDREW McKINLEY, R. L. O.

And the question being taken on the adoption of the amendent, it was decided in the affirmative.

Mr. Hogan moved to amend said resolutions as follows, viz:

That the Governor be requested to transmit a copy of the foregoing resolutions to the Secretary of the Interior.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of the preamble and resolutions as amended, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Hogan and Blain, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen,
John S. Barlow,
Robert Blain,
James F. Buckner,
William C. Bullock,
John A. Cavan,
Nathaniel W. Collins,
William L. Conklin,
William T. Haggin,
Sylvester Harris,

Wiley S. Hay,
James D. Headley,
Overton P. Hogan,
Samuel Howard,
William Howell,
David Irvine,
John Q. A. King,
Theodore Kohlhass,
John P. Martin,
Daniel Matthewson,

Robert C. Palmer, Charles Ripley, George W. Silvertooth, D. Howard Smith, Shelby Stone, James Sudduth, W. H. Wadsworth, John Williams, Tucker Woodson—29.

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Those who voted in the negative, were-

T. W. W. DeCourcey-1.

Mr. Conklin, from the same committee, to whom was referred a preamble and resolution in relation to the Pacific Railroad,

Reported the same without amendment.

Said preamble and resolutions reads as follows, to-wit:

Whereas, We consider the construction of a railroad to the Pacific Ocean as a great national enterprise, in which the south, west, and south-western portion of this Union are much interested, more particularly our sister State of Texas: and whereas, the completion of said road would, in our opinion, tend greatly to the development of the vast western resources of the Union, the speedy dissemination of knowledge, the quick transportation of commerce, and the binding together in closer bonds of fraternal affection the enterprising miner of the "Golden State" to the generous hearted planter of the Atlantic coast: and whereas, the State of Texas has liberally and munificiently granted a large body of land to the railroad company, to enable it to prosecute this work to completion, which can be done beyond a doubt, if timely aided by the general government. Therefore,

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1. Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators in Congress he instructed, and our Representatives requested, to procure, if possible, the aid of the General Government in the construction of the road from El Passo to Fort Yuma, on the Colorado, (west) either by grant of land or otherwise, and to procure the grant of right of way for said road through any government lands.

Resolved, That a copy of the foregoing preamble and resolution be forwarded to each of our Senators and Representatives in Congress, by the Governor, as soon as practicable.

Mr. Stone moved to lay said preamble and resolution on the table, and it was decided in the affirmative.

The Senate took up for consideration a bill from the House of Representative, entitled, an act in relation to the Kentucky Penitentiary, with the amendment heretofore proposed by the committee.

The bill reads as follows, to-wit:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, as follows: The Commissioners of the Sinking Fund are hereby authorized, for and in behalf of the State of Kentucky, to make a contract with the present Keeper of the Penitentiary, by which he shall become the lessee of said institution for a term of years, at a fixed and

stipulated sum of money, to be paid in annual installments.

§ 2. In the event a contract should be made, between the Commissioners of the Sining Fund and the present Keeper of the Penitentiary, as contemplated by the preceding section, the following stipulations, in substance, shall be incorporated therein as fundamental articles: First, The said Keeper shall pay into the Treasury of this Commonwealth, on or before the first day of April, of the present year, the sum of five thousand dollars, in full and in lieu of the State's portion of the nett profits of the Penitentiary, for the year ending the first of March, 1856. Second. The Penitentiary, together with all the buildings attached thereto, and all of the machinery, fixtures, and tools, and other things therein, to be leased to the present Keeper for the term of six years, commencing the first day of March, 1856, at an annual rent of six thousand dollars, payable at the end of each year, without any abatement or deduction, into the Treasury to the credit of the Sinking Fund. Third. The buildings, machinery, fixtures and tools to be kept in good order, and returned in like good order as when received by the present Keeper, the first of March, 1855, at the end of the six years, when the lease will expire-unavoidable accidents, as respects the buildings and machinery only excepted. Fourth. In the event a fire should occur in said institution, without any fault on the part of the Keeper, his assistants or guards, the General Assembly, if in session, if not the Commissioners of the Sinking Fund, shall cause to be erected, as soon as practicable, other permanent and suitable buildings, as they may deem for the best interest of the State, not exceeding \$25,000, to be paid for out of any money in the Treasury to the credit of the Sinking Fund. The Commissioners of the Sinking Fund may make such deduction from the rent as they deem just and equitable, on account of the loss of the buildings by fire, and their decision in the premises is to be final and

conclusive. The expense of erecting the necessary temporary buildings is to be borne by the lessee, and no allowance is to be made to him therefor. Fifth. If, during the existence of the term for which the Penitentiary is leased, the Commissioners of the Sinking Fund deem it necessary to cause additional machinery to be erected, the State of Kentucky shall not, under any circumstances, be chargeable with a sum therefor exceeding ten thousand dollars; but the State reserves to itself the right of purchasing from the Keeper of the Penitentiary any excess of machinery over ten thousand dollars, at a fair cash value, at the termination of the lease. Sixth. The bond or bonds that have heretofore been executed for money or property advanced to the present Keeper, shall remain in full force; or the Commissioners of the Sinking Fund may, if they deem it proper, require the execution of other bonds, containing appropriate stipulations for the return of the money or property heretofore advanced by the State, at the termination of the six year's lease. Seventh. If the rent due at the close of any one year shall remain unpaid, for the period of ten days, it shall be the duty of the Commissioners of the Sinking Fund to cause a judgment to be rendered against the lessee and his securities at the next, or any succeeding term of the Franklin Circuit Court, by motion, in the same manner and with like penalties as judgments are now rendered by the existing laws against sheriffs, or other defaulting collectors of the public money. Eighth. The said Keeper, as lessee, as aforesaid, in addition to the sum of six thousand dollars to be paid annually, shall furnish, at his own expense, the necessary guards; feed and clothe the convicts; appoint his own clerk and pay him for his services; furnish all the necessary beds and bedding for the cells; pay the liberation money to the convicts all; necessary bills of physicians; and shall, in all other respects pay all the necessary expenses in maintaining said institution, and shall save the State harmeless from all expense connected with the management of the same, during the existence of the lease. Ninth. The Governor shall appoint three Inspectors of the Penitentiary, who shall hold their offices for two years unless sooner removed by the Governor. The said Inspectors shall have power, and it shall be their duty. from time to time, to examine into all matters connected with the government, discipline and police of the Penitentiary, and make report thereof every three months to the Governor for the time being. The number of visits to be made by some one of said Inspectors to the Penitentiary each week shall be prescribed by the Governor, or the Commissioners of the Sinking Fund. Each of said Inspectors shall receive for his services the sum of one hundred dollars, payable quarterly out of any moneys in the Treasury to the cedit of the Sinking Fund. No Inspector of the Penitentiary shall become personally interested, directly or indirectly, in the profits thereof or in its management. Tenth. All laws relating to the Penitentiary in conflict with the provisions of this act, and the lease made in virtue thereof are repealed; and all laws not inconsistent therewith are to remain in full force until changed by a subsequent Legislature; but no laws are to be enacted which may impair, substantially, the rights of the lessee. The Legislature may, however, pass such laws as may be deemed necessary for the welfare and reformation of the e

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convicts. The lease to be made under this act shall supersede the contract under which the present Keeper came into office, except that he and his sureties shall remain bound to refund the amount of money and value of the property received by the Keeper shortly after he came into office.

§ 3. Before this contract, hereby authorized, shall take effect, the lessee shall execute bond with sufficient sureties, conditioned for faithful compliance with the contract and provisions of this act; which bond

shall be approved by the Governor.

§ 4. That, in case of the death of the Keeper, the Governor of the State, Secretary of State, and the Auditor, shall make a contract with some other and suitable person, to take charge of the Penitentiary, according to the provisions of this act, until the ensuing meeting of the General Assembly.

The amendment proposed by the committee read as follows:

Be it further enacted, That should the lessee of the Penitentiary, under this act, fail or refuse to comply with all the obligations imposed upon him by this act, and his contract under it, or should he be guilty of any misfeance or malfeance in office, then and in that event the Governor shall have full power and it shall be his duty to remove him forthwith.

The question was then taken on the adoption of the amendment, And it was decided in the affirmative.

Mr. Woodson moved to amend the second section of the bill, by striking out twenty-five thousand and inserting in lieu thereof ten thousand dollars.

And the question being taken thereon, it was decided in the affirmative.

Mr. Woodson moved to amend the same section by striking out the words "final" and "conclusive," printed in italies, and insert in lieu thereof, "to be subject to the ratification of the Legislature."

And the question being taken thereon, it was decided in the affirmative.

Mr. Allen moved to amend the second division of the second section, by striking out the word "six," printed in italics, and inserting in lieu thereof the word "three."

And the question being taken thereon, it was decided in the affirmative—the Speaker giving the casting vote.

The yeas and nays being required thereon, by Messrs. Palmer and King, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen,
John Q. A. King,
John S. Barlow,
John P. Martin,
James Sudduth,
James F. Buckner,
John A. Cavan,
James D. Headley,
Samuel Howard,
John Q. A. King,
John Q. A. King,
James Sudduth,
James Sudduth,
C. J. Walton,
Robert C. Palmer,
D. K. Weis,
George W. Silvertooth, George Wright—17.

Those who voted in the negative, were-

Robert Blain,	William T. Haggin,	Theodore Kohlhass,
William C. Bullock,	Sylvester Harris,	Charles Ripley,
Nathaniel W. Collins,	Wiley S. Hay,	W. H. Wadsworth,
	Overton P. Hogan,	John Williams,
T. W. W. DeCourcey,		Tucker Woodson-17.
William C Cillia	David Invino	

M: Stone moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Stone and Walton, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen,	John Q. A. King,	Shelby Stone,
John S. Barlow,	John P. Martin,	James Sudduth,
James F. Buckner,	Daniel Matthewson,	C. J. Walton,
John A. Cavan,	Robert C. Palmer.	D. K. Weis,
James D. Headley,	George W. Silvertooth,	George Wright-16.
Samuel Howard.		

Those who voted in the negative, were-

Robert Blain,	William T. Haggin,	Charles Ripley,
William C. Bullock,	Sylvester Harris,	D. Howard Smith,
Nathaniel W. Collins,		W. H. Wadsworth,
William L. Conklin,		John Williams,
T. W. W. DeCourcy,	David Irvine,	Tucker Woodson-17.
William C. Gillis.	Theodore Kohlhass.	

Mr. Martin moved to amend said bill, by adding thereto the following amendment, viz:

That the Legislature hereby reserves to itself the power to repeal this act at pleasure.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Martin and Harris, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, John S. Barlow,	John Q. A. King, John P. Martin,	Shelby Stone, C. J. Walton,
James D. Headley,		D. K. Weis-11.
Samuel Howard,	George W. Silvertooth,	

Those who voted in the negative, were-

I nose w	no voted in the negat	ive, were—
Robert Blain,	Sylvester Harris,	Charles Ripley,
ames F. Buckner,	Wiley S. Hay,	D. Howard Smith,
Villiam C. Bullock,	Overton P. Hogan,	James Sudduth,
Vathaniel Collins,	William Howell,	W. H. Wadsworth,
Villiam L. Conklin,	David Irvine,	John Williams,
. W. W. DeCourcey,	Theodore Kohlhass,	Tucker Woodson,
Villiam C. Gilliss,	Robert C. Palmer,	George Wright-22.
William T Haccin	AND ADDRESS OF STREET AT ALL AD	

Mr. King moved to amend the eighth division of the second section of said bill, by inserting between the words "Physician" and "and" the tollowing: "Whose duty shall be to examine into the health and situation of each convict, and report to the Governor whether any convict is engaged at any work which is injurious to his health: if so, the Governor shall cause said convict to be changed to other work."

Which was adopted.

Mr. Hogan moved to amend said bill by adding thereto the following additional section:

Be it further enacted, That should the Commissioners of the Sinking Fund lease the Penitentiary, and conclude to provide additional machinery at the cost of the State, as provided for in this act, the lessee shall give bond, to be approved by the Governor, that he will return the machinery so erected in as good order as when erected, except the usual wear and tear; and he shall also pay the State six per cent. per annum for the amount of money expended in erecting such machinery.

Which was adopted.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the negative—a majority of all the Senators elect not having voted therefor.

The yeas and nays being required thereon by Messrs Stone and Howard, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain, William T. Haggin, Theodore Kohlhass, William C. Bullock, Sylvester Harris, Charles Ripley, Nathaniel W. Collins, Wiley S. Hay, D. Howard Smith, William L. Conklin, Overton P. Hogan, W. H. Wadsworth, T. W. W. DeCourcey, William Howell, John Williams, William C. Gilliss, David Irvine, Tucker Woodson-18.

Those who voted in the negative, were-

Charles H. Allen,
John S. Barlow,
James F. Buckner,
John A. Cavan,
James D. Headley,
Samuel Howard,
John Q. A. King,
John Q. A. King,
John Q. A. King,
James Sudduth,
James Sudduth,
C. J. Walton,
D. K. Weis,
George W. Silvertooth, George Wright—16.

Mr. Buckner moved the following resolution:

Resolved, That the Clerk of the Senate be authorized to procure such assistance as he may need in enrolling bills, and perform such other duties as may be required during the residue of the present session.

The Senate took up for consideration a bill from the House of Representatives, entitled,

An act to amend the charter of the Covington and Lexington, and Lexington and Danville Railroad Companies.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as afore-

said.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Burton, on leave-A bill to incorporate the Bell Mine Coal

Company, of Crittenden county.

By Mr. Howard, on leave—A bill to incorporate Carroll Lodge, No. 45, I. O. O. F.

By Mr. Williams, on leave—A bill to change the Harrison County Court.

By Mr. Cavan, from the committee on Revised Statutes—A bill in relation to the McCracken County Court.

By same—A bill to amend the charter and laws of the city of Newport, in certain cases.

By same—A bill to amend the charter of the Lexington and Danville Railroad Company.

By same-A bill for the benefit of the Sheriff of Fayette county.

By Mr. Sudduth, from the same committee—A bill to provide for the removal of obstructions of navigation from Licking river.

By same—A bill to amend chapter 80, articles 3 and 4, of the Revised Statutes, title, "land and slaves of infants," &c.

By same—A bill to incorporate Richmond Lodge, No. 25, of Free and Accepted Masons.

By same—A bill to incorporate the Richmond Royal Arch Chapter, No. 16, Free and Accepted Masons.

By Mr. Howell—A bill to amend the 5th section of article 7, chapter 93, Revised Statutes.

By same—A bill to amend Revised Statutes, chapter 102, title, "Treasury Warrant Claims."

By Mr. Woodson, from the committee on the Penitentiary—A bill in relation to slaves.

By Mr. Wadsworth, from the committee on the Codes of Practice—A bill to amend section 621 of the Civil Code of Practice.

By Mr. King, from the committee on Banks—A bill to establish the Deposit Bank of Mt. Sterling, Kentucky.

By same—A bill to incorporate the Savings Bank of Kentucky, at Covington.

Which were read the first time, and ordered to be read a second time. The constitutional provision as to the second and third readings of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr Conklin, from the committee on Federal Relations, reported a preamble and resolution in relation to the removal of obstructions in the Cumberland river.

Said preamble and resolutions read as follows, viz:

WHEREAS, Great difficulty exists in the navigation of the Cumberland river, and inconvenience in the transportation of coal from the rich and inexhaustable coal fields lying on the Cumberland river, between Burksville and the Falls of Cumberland river, in consequence of the obstruction at Shadowen's and Smith's Shoals, in Pulaski county; that it requires a greatly larger rise in the Cumberland river to get over said shoals, than it requires below the shoals to descend said river with coal boats: and whereas, the mouth of Laurel river, above the shoals, having, by act of Congress, been declared a port of entry: Now, for the purpose of the successful navigation of the Cumberland river with coal and other boats-wherefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators and Representatives in Congress be requested to use all their influence to procure the passage of an act of Congress, appropriating the sum of one hundred thousand dollars, or such sum as may be deemed necessary, to remove the obstructions in Cumberland

river at Shadowen's and Smith's shoals, in Pulaski county.

Resolved, That a copy of the above be transmitted to each of our Senators and Representatives in Congress.

The question being taken on the adoption of said preamble and resolutions, it was decided in the affirmative.

The Speaker voting therefor.

The year and mays being required thereon by Messrs. Weis and Blain, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain, James F. Buckner, William C. Bullock, Jesse W. Burton, Nat'aniel W. Collins, Charles Ripley, William C. Gillis,

Samuel Howard, David Irvine. John Q. A. King, Theodore Kohlhass,

Shelby Stone, James Sudduth, W. H. Wadsworth, John Williams, Tucker Woodson-16.

Those who voted in the negative, were-

Charles H. Allen, John S. Barlow, William L. Conklin, T. W. W. DeCourcey, John P. Martin, George T. Elwards, Robert C. Palmer, Wiley S. Hay,

Overton P. Hogan, William Howell,

James D. Headley, George W. Silvertooth, D. Howard Smith, C. J. Walton, D. K. Weis, George Wright-16.

Bills from the House of Representatives of the following titles, were reported from the several committees to whom they were referred,

By Mr. Cavan, from the committee on Revised Statutes-

An act to amend section 17, article 4, chapter 47 of Revised Statutes.

By same-

An act to change the time of holding the Court of Claims in Madison county.

By Mr. Sudduth, from the same committee-

An act for the benefit of the Oldham County and Circuit Courts.

By same-

An act to regulate the office of Clerk of the Court of Appeals.

By same-

An act for the benefit of James M. Bumpass, of Caldwell county.

By Mr. Wadsworth, from the committee on Codes of Practice-

An act to provide for the service of process against steamboats.

By Mr. Sudduth, from the committee on Revised Statutes-An act to amend the 42d chapter of the Revised Statutes.

With an amendment to the last named bill,

Which was concurred in.

Ordered, That said bills be read a third time.

The constitutional provision as to the third readings of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as

aforesaid.

Mr. Cavan, from the committee on Revised Statutes, reported a bill to amend in part the 61st chapter of the Revised Statutes.

Which was read the first time, and ordered to be read a second

time.

The constitutional provision as to the second reading of said bill being dispensed with,

The question was taken on ordering said bill to be read a third time,

and it was decided in the negative.

So the said bill was rejected.

Mr. Cavan, from the same committee, reported a bill for the benefit of Amanda M. Kress.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed with, and the same being engrossed,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, were as follows, viz:

Those who voted in the affirmative, were-

Wiley S. Hay, Robert Blain. George W. Silvertooth, James F. Buckner, James D. Headley, D. Howard Smith, Wm. C. Bullock, Samuel Howard. James Sudduth. Jesse W. Burton, William Howell, W. H. Wadsworth, John A. Cavan, David Irvine, D. K. Weis William L. Conklin, Theodore Kohlhass, John Williams, T. W. W. DeCourcey, Robert C. Palmer, Tucker Woodson. William C. Gilliss, Charles Ripley, George Wright-24.

Those who voted in the negative, were-

John S. Barlow, John P. Martin, Shelby Stone, Overton P. Hogan, Daniel Matthewson, C. J. Walton-7. John Q. A. King

Mr. Sudduth, from the same committee, to whom was referred a bill to amend and reduce into one, the several acts in relation to the town of Russelville.

Reported the same without amendment.

And the question being taken on ordering said bill to be engrossed and read a third time, and it was decided in the negative.

So the said bill was rejected.

Mr. Sudduth, from the same committee, reported a bill to prohibit assessors of tax from listing, for taxation, persons remaining transiently in their respective counties.

Which was read the first time, and ordered to be read a second time. The constitutional provision as to the second reading of said bill being dispensed with,

The question was taken on ordering said bill to be read a third time, and it was decided in the negative.

So the said bill was rejected.

A bill from the House of Representatives, entitled, An act to charter the Breckinridge Coal Oil Company,

Was read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Martin and King, were as follows, viz:

Those who voted in the affirmative, were-

John S. Barlow,
James F. Buckner,
Willey S. Hay,
William C. Bullock,
J. Woodson Burton,
John A. Cavan,
John Q. A. King,

Charles Ripley,
D. Howard Smith,
Shelby Stone,
W. H. Wadsworth,
D. K. Weis,

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William L. Conklin, Theodore Kohlhass, John Williams, T. W. W. DeCourcey, Robert C. Palmer, Tucker Woodson-22. William C. Gilliss,

Those who voted in the negative, were-

Overton P. Hogan, Samuel Howard, John P. Martin, Daniel Matthewson, C. J. Walton, George W. Silvertooth, George Wright—8. James Sudduth,

Mr. DeCourcey moved a reconsideration of the vote rejecting the bill to provide for the prosecutution of the Geological, Minerological, Chemical, Topographical, and Agricultural Survey of the State.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be made the special order of the day for 4th inst., 3 o'clock, P. M.

Mr. Irvine, from the committee on Enrollments, reported that the committee had examined enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

An act to regulate the fees of coroners.

An act for the benefit of Rowan county.

An act to aid in removing free negroes from this State to Liberia.

An act to change the boundary line between the counties of Shelby and Oldham.

An act to amend the law in relation to appeals from Justices of the Peace in Quarterly Courts.

An act giving certain authority to the Presiding Judge of the Greenup County Court.

An act legalizing certain proceedings of the Calloway County Court.

An act for the benefit of the Methodist Episcopal Church, at Alexandria.

An act to change the time of holding the Quarterly Courts in the counties of Knox and Harlan.

An act for the benefit of the Trustees of the Methodist Episcopal Church South, in the county of Henry.

An act for the benefit of C. Osburne and others, to enable them to protect themselves against milk sickness.

An act for the benefit of Littleton Helm.

An act to increase the salary of the Register of the Land Office.

An act for the benefit of the Methodist Episcopal Church South, at Alexandria.

An act to incorporate the First Presbyterian Church, in the city of Augusta.

An act to authorize the Louisville and Frankfort, and Lexington and Frankfort Railroad Companies to consolidate their companies.

An an act to incorporate the Evangelical Church and School Association, at Alexandria.

An act to incorporate the Barren river High School.

An act to revive and modify an act, entitled, an act to incorporate the Barren river Navigation and Manufacturing Company.

An act for the benefit of the Georgetown and Lemmon's Mill Turn-pike road.

An act for the benefit of the Methodist Episcopal Church South, at Shelbyville.

An act to change the place of voting in Leech's district, in Bullitt county.

An act to amend the charter of the Dry Creek and Covington Turnpike road Company.

An act to incorporate the Rough Creek Navigation and Manufacturing Company.

An act for the benefit of the estate of R. W. Warring, deceased, late Sheriff of Greenup county.

An act for the benefit of Worden Kendall.

An act for the benefit of Zachariah B. Sailer, Sheriff of Harlan county.

An act for the benefit of Lemuel Hibbard, late Sheriff of Laurel county.

An act to repeal so much of an act, entitled, an act concerning the Auditor's office and Treasurer's office, as relates to the Treasurer's office.

An act declaring Miller's creek a navigable stream.

An act for the benefit of James C. Edwards, Sheriff of Green county.

An act for the benefit of P. W. Napier, late Sheriff of Casey county. An act declaring Contrary creek a navigable stream.

An act to amend an act, incorporating the Mount Hor Cemetery, in Kenton county.

An act to amend an act, incorporating the Louisville Water Works Company.

An act to incorporate the Springfied, Maxville, and Willisburg Turnpike road Company.

An act for the benefit of E. C. Ashcraft.

An act to incorporate the Millersburg Male and Female Collegiate Institute.

An act for the benefit of John Friend, jailer of Floyd county.

An act for the benefit of the Kentucky Institution for the education of the Blind.

An act appointing Trustees for the Hart county Seminary.

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An act to amend the charter of the Kentucky Ship Building and Lumber Company.

An act to incorporate the Cooke Coal and Iron Mining and Manufacturing Company.

An act to amend and change an act, to incorporate the Greenville Female College, approved February 11th, 1854.

An act to authorize the County Court of Mercer to subscribe stock in a Turnpike road.

An act better to regulate the mode of working and opening roads in Boone county.

An act authorizing the sale and distribution of the Calloway county seminary lands.

An act to incorporate the Nelson county Agricultural Society.

An act to incorporate the Buffalo and Hamilton Turnpike road Company.

An act to incorporate the Columbia Baptist College.

An act to improve the road from Cumberland river to Monticello.

An act to incorporate the Bloomfield and Taylorsville Turnpike road Company.

An act to change the time of holding the August term of the Laurel Quarterly Court.

An act to amend the charter of the Greensburg and Taylor county Turnpike road Company.

An act for the benefit of William Worsham, late Sheriff of Wayne county.

An act authorizing the County Court of Lyon county to establish an additional voting place in said county.

An act for the benefit of J. W. Henderson, of Barren county.

An act to amend the charter of the Bank Lick Turnpike road Com-

An act to incorporate the Bardstown and Cedar Creek Turnpike Company.

And enrolled bills and a resolution which originated in the Senate, of the following titles, viz:

An act to incorporate the First Presbyterian Church, of Ashland.

An act for the benefit of Jacob Rice, late Sheriff of Carter county. An act to amend the charter of the town of Danville.

An act to incorporate the Ebenezer Baptist Church, in Muhlenburg county.

An act to regulate agencies of foreign insurance companies.

An act to incorporate the Commercial Insurance Company.

An act to incorporate Logan Lodge, No. 73, I. O. Ø. F., at Russelville, Ky.

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An act to incorporate Merrick Lodge, No. 31, I. O. O. F., of the city of Lexington.

An act to change the time of holding the Warren and Edmonson Quarterly Courts.

An act to incorporate the Bourbon Female Institute, at North Middletown.

An act for the benefit of Thomas Terrill, of Ballard county.

An act to authorize the appointment of an additional Commissioner for the Jefferson County Court.

An act to authorize actions between the county of Jefferson and the city of Louisville.

An act changing the time of holding the Shelby Quarterly Court.

An act fixing the time of holding the Court of Claims in Bath county.

An act to authorize the Clerk of the Grant County Court to purchase deed books A and B, and transcribe the same.

An act regulating certain streets and buildings in the town of Williamsburg, and taxing certain buildings adjacent thereto.

An act to repeal all laws to license Billiard tables, Bowling Salcons, and Jenny Lind tables.

An act to change the time of holding the Quarterly Courts in Henry county.

An act to change the time of holding the Quarterly Courts of Hardin county.

An act for the benefit of the late Sheriff of Lewis county.

An act to establish an additional election precinct and place of voting in Christian county.

An act to prescribe the western boundary of Flemingsburg.

An act authorizing the County Court of McLean to establish a ferry or purchase the present ferry over Green river, at Calhoun and Rumsey.

An act to change the time of holding the Lewis and Grayson Quarterly Courts.

An act to incorporate the Deposit Bank at Glasgow.

Resolution in relation to the Hermitage.

A message was received from the House of Representatives, announcing that they concurred in the 1st amendment by the Senate to an amendment proposed by the House of Representatives to a bill from the Senate, entitled,

An act regulating the time of holding the Circuit Courts.

And that they had receded from the 6th, 7th, 8th, 9th, 11th, 12th, 13th and 14th amendments proposed by the House of Representatives to said bill; and that they had concurred in the amendments proposed by the Senate to bills from that House of the following titles, viz:

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An act to relieve common school districts not regularly reported.

An act to incorporate Bethel College, at Russellville,

An act to improve the State road from Columbia to Albany.

That they had passed bills of the following titles, viz: An act to charter the Breckinridge Coal Oil Company.

An act to incorporate Bagdad and Harrisonville Turnpike Read Company.

An a t to amend an act authorizing the Oakland Plank Road Company to construct a branch road.

An act to incorporate the Louisville Bridge Company.

An act to incorporate the Section Dock Company, at Smithland.

An act to incorporate the Falmouth and Milford Turnpike road Company.

An act to incorporate the Falmouth and Claysville Turnpike read Company.

An act incorporating turnpike roads in Green county.

An act to authorize the President of the Board of Internal Improvement to purchase a certain lot of land at lock No. 3, on Green river.

An act to sell the stone owned by the State on Licking river.

An act for the benefit of the Louisville and Oldham Turnpike road Company.

An act for the benefit of turnpike roads in which the State is a stock-holder.

An act for the benefit of the Lancaster and Crab Orchard Turnpike Company.

An act to amend an act to incorporate the Muldrough's Hill, Campbellsville, and Columbia Turnpike road Company.

An act to amend an act, entitled, an act to incorporate the Lexington and Frankfort Railroad Company.

An act to incorporate the Lexington and Frankfort Turnpike road Extension Company.

An act to authorize the county court of Christian county to establish a road through certain lands in said county.

An act to incorporate the Paris and Bethlehem Turnpike road Company.

An act to amend the laws incorporating the Burlington and Florence Turnpike road Company.

An act to incorporate the Union and Big Bone Turnpike Company. An act to amend an act, entitled, an act to authorize Daniel J. Breck, jr., and F. A. Ramsey to build a dam across the North Fork of Kentucky river.

And then the Senate adjourned.

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TUESDAY, MARCH 4, 1856.

A message was received from the House of Representatives announcing that they had passed bills from the Senate of the following titles, viz:

An act to amed the Georgetown and Paris Turnpike road Company. An act incorporating the Hustonville and McKinney's Station Turnpike road Company.

An act to incorporate the New Orleans and Ohio Telegraph lessees. An act to incorporate the Russellville, Elkton, Hopkinsville, and Paducah Railroad Company.

An act to amend the act incorporating the Henderson and Nashville Railroad Company, approved March 4, 1856.

An act to amend the act incorporating the Lexington and Winchester Turnpike road Company.

An act to allow R. M. Bradley & Co. to build dams and buildings on the Cumberland river, and for other purposes.

With amendments to the two last named bills.

And that they had passed bills of the following titles, viz:

An act to amend chapter 103 of the Revised Statutes, title, "Turn-pike and Plank Roads."

An act for the benefit of the President of the Board of Internal Improvement.

An act to incorporate the Princeton and Eddyville Turnpike road Company.

An act to incorporate the Lebanon and Maxville Turnpike road Company.

An act to incorporate the Bryantsville and Boyle County Turnpike road Company.

An act supplemental to an act appropriating the revenue of Muldrough's Hill Turnpike road to Taylor county.

An act to provide for the sale of certain lands belonging to the Commonwealth.

An act to authorize the President of the Board of Internal Improvement to sell certain property.

An act to improve the navigation of Big Sandy river.

An act to incorporate the Livingston Coal Mining Company.

An act declaring Jenny's creek, in Johnson county, a navigable stream.

An act authorizing the Breckinridge and Meade county courts to change a part of the State road leading from Brandenburg to Bowlinggreen.

An act providing for certain turnpike road companies in Anderson

county.

An act to amend the charter of the Bloomfield and Springfield Turnpike road Company.

An act to amend the charter of the Pleasant Run Turnpike road

Company.

An act declaring Licking river, in Floyd county, navigable.

An act to amend an act declaring Miller's creek, in Estill county, a navigable stream.

An act to amend the charter of the Campbellsville Turnpike road

Company.

An act to amend the charter of the North Middletown, Mount Ida, and Mount Sterling Turnpike road Company.

An act to incorporate the Cruise's Knob and Somerset Turnpike road

Company.

An act to incorporate the Lancaster and Buckeye Turnpike road Company.

An act to amend the charter of the Eagle creek and New Liberty

Turnpike road Company.

An act to amend the charter of the Versailles and Anderson Turn-

pike road Company.

An act to authorize the County Court of Montgomery county to subscribe stock to turnpike roads in that county, and to levy a tax to pay such subscriptions.

An act to incorporate the Edmonton and Woodsonville Turnpike

road Company.

An act to incorporate the Kentucky River Coal and Lumber Company.

An act to amend an act to incorporate the Muldrough's Hill, Colum-

bia, and Campbellsville Turnpike road Company.

An act to incorporate the Kentucky and Virginia Coal Mining and Oil Manufacturing Company.

An act to amend an act, entitled, an act to incorporate the Ken-

tucky Union Railway Company, approved March 10, 1854.

An act to amend an act, entitled, an act to incorporate the Bryantsville and Cane Run Turnpike road Company.

An act for the benefit of the Northern Kentucky Coal Mining Com-

pany. An act for the benefit of the Dutch Ridge Turnpike road Company. An act in relation to the tolls on the Kentucky river Improvement. An act to amend an act to incorporate the Kentucky Coal Company, of Union county, approved March 1, 1850.

An act to incorporate the Hiawatha Mining Company.

That they had received official information from the Governor that he had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of John Friend, jailer of Floyd county.

An act for the benefit of Iron Masters, in Lyon county.

An act to authorize the County Court of Mercer to subscribe stock in a Turnpike road.

An act to incorporate the Nelson county Agricultural Society.

An act to change the time of holding the August term of the Laurel Quarterly Court.

An act to amend the charter of the Greensburg and Taylor county Turnpike road Company.

An act authorizing the sale and distribution of the Calloway county seminary lands.

An act to incorporate the Columbia Baptist College.

An act to incorporate the Cooke Coal and Iron Mining and Manufacturing Company.

An act to amend and change an act, to incorporate the Greenville Female College, approved February 11th, 1854.

An act better to regulate the mode of working and opening roads in Boone county.

An act to improve the road from Cumberland river to Monticello.

An act to incorporate the Buffalo and Hamilton Turnpike road Company.

An act for the benefit of P. W. Napier, late Sheriff of Casey county. An act declaring Contrary creek a navigable stream.

An act for the benefit of James C. Edwards, Sheriff of Green county.

An act declaring Miller's creek a navigable stream.

An act to repeal so much of an act, entitled, an act concerning the Auditor's office and Treasurer's office, as relates to the Treasurer's office.

An act for the benefit of Lemuel Hibbard, late Sheriff of Laurel county.

An act for the benefit of Zachariah B. Sailer, Sheriff of Harlan county.

An act for the benefit of Wm. Corum, Clerk of the Greenup Circuit and County Courts.

An act for the benefit of the estate of R. W. Warring, deceased, late Sheriff of Greenup county.

An act for the benefit of Worden Kendall.

An act for the benefit of Thomas W. Pickering.

An act to change the place of voting in Leech's district, in Bullitt county.

An act for the benefit of the Methodist Episcopal Church, South, at Shelbyville.

An act for the benefit of the Georgetown and Lemmon's Mill Turn-pike road.

An act to revive and modify an act, entitled, an act to incorporate the Barren river Navigation and Manufacturing Company.

An act to amend the charter of the Dry Creek and Covington Turnpike road Company.

An act to incorporate the Barren river High School.

An act to incorporate the Bardstown and Cedar Creek Turnpike Company.

An act authorizing the County Court of Lyon county to establish an additional voting place in said county.

An act to amend the charter of the Bank Lick Turnpike road Company.

An act giving certain authority to the Presiding Judge of the Greenup County Court.

An act to amend the law in relation to appeals from Justices of the Peace to Quarterly Courts.

An act for the benefit of the Methodist Episcopal Church, at Alexandria.

An act legalizing certain proceedings of the Calloway County Court.

An act for the benefit of Rowan county. An act to regulate the fees of coroners.

An act to change the boundary line between the counties of Shelby and Oldham.

An act to aid in removing free negroes from this State to Liberia.

An act for the benefit of C. Osburne and others, to enable them to protect themselves against milk sickness.

An act for the benefit of Littleton Helm.

An act to increase the salary of the Register of the Land Office.

An act to incorporate the First Presbyterian Church, in the city of Augusta.

An act for the benefit of the Methodist Episcopal Church, South, at Alexandria.

An act to authorize the Louisville and Frankfort, and Lexington and Frankfort Railroad Companies to consolidate their companies.

An an act to incorporate the Evangelical Church and School Association, at Alexandria.

An act to incorporate the Springfied, Maxville, and Willisburg Turnpike road Company.

An act appointing Trustees for the Hart county Seminary.

An act to amend the charter of the Kentucky Ship Building and Lumber Company.

An act for the benefit of the Kentucky Institution for the education of the Blind.

An act for the benefit of E. C. Ashcraft.

An act to amend an act, incorporating the Mount Hor Cemetery, in Kenton county.

An act to amend an act, incorporating the Louisville Water Works Company.

An act for the benefit of Wm. W. Worsham, late Sheriff of Wayne county.

An act for the benefit of J. W. Henderson, of Barren county.

Approved March 3, 1856.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State, announcing that he had approved and signed bills which originated in the Senate of the following titles, viz:

An act authorizing the County Court of McLean to establish a ferry or purchase the present ferry over Green river, at Calhoun and Rumsey.

An act to incorporate Logan Lodge, No. 73, I. O. O. F., at Russelville, Ky.

An act to change the time of holding the Quarterly Courts in Henry county.

An act for the benefit of the late Sheriff of Lewis county.

An act to change the time of holding the Lewis and Grayson Quarterly Courts.

An act to change the time of holding the Quarterly Courts of Hardin county.

An act to prescribe the western boundary of Flemingsburg.

An act to incorporate Merrick Lodge, No. 31, I. O. O. F., of the city of Lexington.

An act for the benefit of Thomas Terrill, of Ballard county.

An act to authorize actions between the county of Jefferson and the city of Louisville.

An act to incorporate the First Presbyterian Church, of Ashland.

An act regulating certain streets and buildings in the town of Williamsburg, and taxing certain buildings adjacent thereto.

An act to incorporate the Ebenezer Baptist Church, in Muhlenburg county.

An act to incorporate the Bourbon Female Institute, at North Middletown.

An act fixing the time of holding the Court of Claims in Bath county.

An act to authorize the Clerk of the Grant County Court to purchase deed books A and B, and transcribe the same.

An act to change the time of holding the Warren and Edmonson

Quarterly Courts.

An act changing the time of holding the Shelby Quarterly Court. An act to regulate agencies of Foreign Insurance Companies.

An act to incorporate the Commercial Insurance Company.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate of the following titles, viz:

An act to amend the charter of the Maysville, Washington, Paris and

Lexington Turnpike road Company.

An act to charter the Tradewater Coal and Iron Mining Company. An act to incorporate the Nashville and North-western Railroad Company.

With amendments to the two last named bills.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Smith, from a select committee-A bill to incorporate the

Versailles and South Elkhorn Turnpike road Company.

By Mr. Silvertooth, from a select committee-A bill for the benefit of M. T. Shelburn, of Ballard county.

Which were read the first time and ordered to be read a second time. The constitutional provision as to the second and third readings of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass and that the titles thereof be as

aforesaid.

Mr. King, from the committee on Banks, reported-A bill to incorporate the Deposit Bank of Carlisle.

Which was read the first time and ordered to be read a second time. The constitutional provision as to the second and third readings of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was

decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Martin and Walton, were as follows, viz:

Those who voted in the affirmative, were-

John S. Barlow, James D. Hardin, Shelby Stone, Robert Blain, William C. Bullock, Jesse W. Burton, John A. Cavan, Theodore Kohlhass, Nathaniel W. Collins, Robert C. Palmer, T. W. W. DeCourcey, D. Howard Smith, William C. Gilliss,

Wiley S. Hay, David Irvine, John Q. A. King,

James Sudduth, W. H. Wadsworth, D. K. Weis, John Williams, Tucker Woodson, George Wright—22. I

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Those who voted in the negative, were-

James D. Headley, William Howell, George W. Silvertooth, Overton P. Hogan, John P. Martin, C. J. Walton—8. James D. Heauro,; Overton P. Hogan, John P. Martin, Daniel Matthewson,

Resolved, That the title of said bill be as aforesaid.

Mr. King, from same committee, reported-A bill to incorporate the Agricultural Deposit Bank of Lexington.

Which was read the first time and ordered to be read a second time. The constitutional provision as to the second and third readings of said bill, being dispensed with,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Martin and Wright, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen. Nathaniel W. Collins, John Q. A. King, John S. Barlow,
Robert Blain,
James F. Buckner,
William C. Gilliss,
Willey S. Hay,
W. H. Wadsworth, James F. Buckner, Wiley S. Hay, W. H. Wadswo William C. Bullock, James D. Headley, John Williams, Jesse W. Burton, David Irvine, Tucker Woodson-19. John A. Cavan.

Those who voted in the negative, were—

Overton P. Hogan, George W. Silvertooth, C. J. Walton, Samuel Howard, Shelby Stone, D. K. Weis, George Wright—10. William Howell. John P. Martin,

Resolved, That the title of said bill be as aforesaid.

Mr. King, from same committee, reported-A bill to amend the Savings Institution of Harrodsburg.

Which was read the first time and ordered to be read a second time. The constitutional pro vision as to the second and third readings of said bill being dispensed, and the same being engrossed,

The question was taken on the passage of said bill, and it was decided in the affirmative—the Speaker voting therefor.

The yeas and nays being required thereon by Messrs. Walton and Blain, were as follows, viz:

Those who voted in the affirmative, were—

Charles H. Allen, Nathaniel W. Collins, Shelby Stone, T. W. W. DeCourcey, James Sudduth, John S. Barlow, William C. Gillis, D. K. Weis, Robert Blain. William C. Bullock, James D. Hardin, John Williams, Jesse W. Burton, John A. Cavan,
John Q. A. King, Robert C. Palmer,
Tucker Woodson—17.

Those who voted in the negative, were-

Charles Ripley, Samuel Howard. James F. Buckner, George W. Silvertooth, William Howell, William L. Conklin, D. Howard Smith, David Irvine, George T. Edwards, W. H. Wadsworth, Theodore Kohlhass, Wiley S. Hay, C. J. Walton-17. John P. Martin, James D. Headley, Daniel Matthewson, Overton P. Hogan,

Resolved, That the title of said bill be as aforesaid.

Mr. King, from the same committee, to whom was referred—A bill from the House of Representatives, entitled,

An act to establish the Deposit Bank of Winchester,

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Martin and Walton, were as follows, viz:

Those who voted in the affirmative, were-

Nathaniel W. Collins, Theodore Kohlhass, Charles H. Allen, T. W. W. DeCourcy, Robert C. Palmer, John S. Barlow, D. Howard Smith, William C. Gillis, Robert Blain, Shelby Stone, James D. Hardin, James F. Buckner, W. H. Wadsworth, James D. Headley, William C. Bullock, John Williams, David Irvine, Jesse W. Burton, Tucker Woodson-21. John Q. A. King, John A. Cavan,

Those who voted in the negative, were-

Overton P. Hogan, Samuel Howard, William Howell,

John P. Martin, Daniel Matthewson, George W. Silvertooth,

James Sudduth, C. J. Walton—8

Resolved, That the title of said bill be as aforesaid.

Mr. King, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act to incorporate the Deposit Bank of Springfield,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Martin and Hogan, were as follows, viz:

Those who voted in the affirmative, were-

John S. Barlow, James D. Hardin, Robert Blain, Sylvester Harris, Shelby Stone,

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James F. Buckner, William C. Bullock, David Irvine, Jesse W. Burton, John A. Cavan, John A. Cavan, Nathaniel W. Collins, Robert C. Palmer, William L. Conklin, Charles Ripley, T. W. W. DeCourcey,

Wiley S. Hay, David Irvine,
John Q. A. King,
Theodore Kohlhass,
Pahert C. Palmer,
Tucker Woodson,
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James Sudduth, W. H. Wadsworth, George Wright-25.

Those who voted in the negative, were-

George T. Edwards, Samuel Howard, George W. Silvertooth, James D. Headley, John P. Martin,
Daniel Matthewson, C. J. Walton-8.

Resolved, That the title of said bill be as aforesaid.

Mr. Hogan, on leave, reported—A bill to repeal an act passed by the present General Assembly, amending the charter of the Covington and Dry Creek Turnpike road Company.

Which was read the first time, and ordered to be read a second

The constitutional provision as to the second reading of said bill being dispensed with,

The question was then taken on ordering said bill to be engrossed and read a third time, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Hogan and Wright, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow, Overton P. Hogan, D. Howard Smith, Nathaniel W. Collins, Samuel Howard, Shelby Stone, William L. Conklin,
T. W. W. DeCourcey,
William C. Gilliss,
John Q. A. King,
William C. Gilliss,
John P. Martin,
James D. Hardin,
James D. Headley,
George W. Silvertooth, George Wright—21.

Those who voted in the negative, were-

Robert C. Palmer. Robert Blain, Sylvester Harris, James F. Buckner, William C. Bullock, William Howell, Charles Ripley, C. J. Walton-11. J. Woodson Burton, Theodore Kohlhass,

The constitutional provision as to the third reading of said bill being dispensed with,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The year and nays being required thereon by Messrs. DeCourcey and Harris, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, Overton P. Hogan,
John S. Barlow, Samuel Howard,
Nathaniel W. Collins, David Irvine,

James Sudduth,
W. H. Wadsworth,
D. K. Weis,

William L. Conklin, William C. Gillis, Sylvester Harris, James D. Headley,

John P. Martin, Daniel Matthewson, D. Howard Smith, Shelby Stone,

John Williams, Tucker Woodson, George Wright-20.

Those who voted in the negative, were-

Robert Blain, James F. Buckner, William C. Bullock, Jesse W. Burton,

James D. Hardin, Wiley S. Hay, William Howell, John Q. A. King, T. W. W. DeCourcey, Theodore Kohlhass,

Robert C. Palmer, Charles Ripley, George W. Silvertooth, C. J. Walton-14.

Resolved, That the title thereof be as aforesaid.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State, which is as follows, to-wit:

EXECUTIVE DEPARTMENT, Frankfort, March 4, 1856.

Gentlemen of the Senate:

I nominate for your advice and consent James D. Alcorn to be Police Judge of the town of Somerset, in the place of Hiram Gragg C. S. MOREHEAD. resigned.

The rule of the Senate being dispensed with.

Resolved, That the Senate advise and consent to said nomination.

Mr. Sudduth, from the committee on the Geological Survey, to whom was referred the resolutions from the House of Representatives, in relation to printing the report of the State Geologist, reported the same with an amendment as a substitute for said resolutions.

Said amendment reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Public Printer be authorized to print five thousand copies of the report of the State Geologist for the years 1854 and 1855, and to procure the engraving and printing a suitable number of the maps, sections and illustrations accompanying said report, by competent artists, and that the Auditor be directed to draw his warrant on the Treasurer for the necessary amount to pay the expense of said engraving and printing of said maps, sections and illustrations, out of any money in the Treasury not otherwise appropriated.

Resolved, That said report, when printed, be distributed as follows: Thirty-one copies to the Lieutenant Governor; thirty-one copies to each Senator and Representative of the present General Assembly; one copy to each of the officers of the present General Assembly; two copies to each of the States and Territories of the United States; twenty copies to the Congressional Library; fifty copies to the Smithsonian Institution; two copies to each county of this State--one to be deposited in the Circuit Court Clerk's office, and one in the County Court Clerk's office; fifty copies to remain in the State Library; one hundred copies for the use of the State Geologist; and the remainder for general distribution by the Governor.

And the question being taken on the adoption thereof, it was decided in the affirmative.

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The year and nays being required thereon by Messrs. Palmer and Hogan, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain, Sylvester Harris, Jesse W. Burton, Wiley S. Hay, James Sudduth, John A. Cavan, William Howell, Nathaniel W. Collins, William L. Conklin, John Q. A. King, T. W. W. DeCourcey, Theodore Kohlhass, Tucker Woodson—18.

Those who voted in the negative, were-

Charles H. Allen,
John S. Barlow,
James F. Buckner,
William C. Bullock,
James D. Hardin,
Verton P. Hogan,
Samuel Howard,
John P. Martin,
Daniel Matthewson,
Robert C. Palmer,
George W. Silvertooth,
Shelby Stone,
C. J. Walton,
George Wright—14.

The question was then taken on concurring in the resolution as amended, and it was decided in the affirmative.

The yeas and nays being taken theron by the Constitution, were as follows, viz:

Those who voted in the affirmative, were-

William C. Gillis, James Sudduth, Robert Blain. W. H. Wadsworth, Wiley S. Hay, James F. Buckner, William Howell, D. K. Weis, Jesse W. Burton, John A. Cavan, David Irvine, John Williams, Nathaniel W. Collins, John Q. A. King, Tucker Woodson, Theodore Kohlhass, George Wright-20. William L. Conklin, T. W. W. DeCourcey, D. Howard Smith,

Those who voted in the negative were-

Charles H. Allen,
John S. Barlow,
William C. Bullock,
George T. Edwards,
James D. Hardin,
John P. Martin,

Sylvester Harris,
Daniel Matthewson,
Robert C. Palmer,
George W. Silvertooth,
Shelby Stone,
C. J. Walton—15.

Mr. Irvine, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of John G. Shacklett,

An act to incorporate the Columbia Male and Female High School. An act for the benefit of James M. Bumpass, of Caldwell county.

An act to amend and reduce into one, all the acts concerning the town of Bowlinggreen.

An act to incorporate the Union and Richmond Turnpike road Company.

An act to establish a Sinking Fund for the county of Clarke.

An act to incorporate the Belle Colline Female College, in Franklin county.

An act incorporating the Harrodsburg and Cornishville Turnpike road Company.

An act for the benefit of Charles Stucker, Sheriff of Campbell county.

An act to charter the Breckinridge Coal Oil Company.

An act to regulate the office of Clerk of the Court of Appeals.

And enrolled bills which originated in the Senate of the following titles, viz:

An act for the benefit of the Foster Turnpike Company.

An act for the benefit of the late Sheriffs and Deputy Sheriffs of Nicholas county.

An act to amend the several acts in relation to pedlers.

An act to amend an act, entitled, an act to incorporate the Perryville and Mitchellsburg Turnpike road, approved March 18, 1854.

An act for the benefit of the Sheriff of Bath county.

An act to amend the charter of the Lexington and Richmond Turn-pike Company.

An act for the benefit of James Trimble, Clerk of Floyd county.

An act to incorporate Napoleon Lodge, No. 216, of Free and Accepted Masons.

An act to incorporate Browiski Lodge, No. 64, Independent Order of Odd Fellows, Carrolton.

An act to incorporate Chapter No. 51, of Royal Arch, Free and Accepted Masons, in Gallatin county.

An act fixing the time of holding the Chancery and Criminal Courts in the 1st judicial district.

An act to amend the charter of the Mobile and Ohio Railroad Company, approved February 26, 1848; and the charter of the New Orleans and Ohio Railroad Company, approved January 9, 1852.

An act to amend and reduce into one the several acts concerning the town of Ghent.

An act to provide for a place of voting in — district in Bath county, instead of the Olympian Springs.

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Irvine reported that the committee had performed that duty.

On motion of Mr. King-

Ordered, That a message be sent to the House of Representatives

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asking leave to withdraw the report of the Senate announcing their disagreement to a bill from the House of Representatives, entitled,

An act in relation to the Kentucky Penitentiary.

After a short time the messenger returned with said bill.

Mr. King moved a re-consideration disagreeing to said bill.

And the question being taken thereon, it was decided in the affirmative.

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the Constitution, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain, William C. Gilliss. Theodore Kohlhass, Charles Ripley, James F. Buckner, Sylvester Harris, D. Howard Smith, William C. Bullock, Wiley S. Hay, Overton P. Hogan, Jesse W. Burton, James Sudduth, Nathaniel W. Collins, Samuel Howard, W. H. Wadsworth, William L. Conklin, William Howell, John Williams, T. W. W. DeCourcey, David Irvine, Tucker Woodson-23. George T. Edwards, John Q. A. King,

Those who voted in the negative, were-

Charles H. Allen,
John P. Martin,
John S. Barlow,
James D. Hardin,
James D. Headley,
John P. Martin,
Daniel Matthewson,
George W. Silvertooth, George Wright—11.
Shelby Stone,

Resolved, That the title of said bill be as aforesaid.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State, announcing that he had approved and signed sundry enrolled bills which originated in the Senate of the following titles, viz:

An act to amend the several acts in relation to pedlers.

An act to provide for a place of voting in 4th district in Bath county, instead of the Olympian Springs.

An act for the benefit of the Sheriff of Bath county.

An act to incorporate Napoleon Lodge, No. 216, of Free and Accepted Masons.

An act for the benefit of the clerk of the Floyd County Court, and the clerk of the Pulaski Circuit Court.

An act to incorporate Mt. Eden Lodge, No. 262, of Free and Accepted Masons, of Spencer county.

An act for the benefit of the late Sheriffs and deputy Sheriffs of Nicholas county.

An act to amend the charter of the Mobile and Ohio Railroad Com-

pany, approved March 26, 1848, and the charter of the New Orleans and Ohio Railroad Company, approved January 9, 1852.

An act to amend the charter of the Lexington and Richmond Turn-

pike Company.

An act fixing the time of holding the Chancery and Criminal Courts in the 1st Judicial District.

An act to incorporate Browinski Lodge No. 64, I. O. O. F., of Carrollton.

An act for the benefit of the Foster Turnpike Road Company.

An act to amend an act, entitled, an act to incorporate the Perryville and Mitchellsburg Turnpike Road Company, approved March 1, 1854.

An act to incorporate the Deposit Bank of Glasgow.

Approved March 4, 1858.

On motion of Mr. Matthewson-

Ordered, That leave of absence be granted to Mr. Headley for the balance of the session.

Mr. Conklin moved a re-consideration of the vote rejecting a bill to amend in part the 61st chapter of Revised Statutes.

And the question being taken thereon, it was decided in the affirma-

Said bill was then amended.

Ordered, That said bill, as amended, be engressed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate then took up for consideration the motion made by Mr. DeCourcey on 3d inst., to reconsider the vote rejecting the bill to provide for the prosecution of the geological, mineralogical, chemical, topographical, and agricultural survey of the State.

And the question being taken thereon, it was decided in the affirma-

tive.

Ordered, That the vote dispensing with the third reading, and the vote ordering said bill to be engrossed and read a third time, be reconsidered.

Mr. Conklin moved to strike out the words "seven thousand five hundred," and insert in lieu thereof the words "ten thousand dollars."

A division of the question being called for, the question was first put upon striking out—and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs King and Weis, were as follows, viz:

Those who voted in the affirmative, were-

James F. Buckner, James D. Headley, Charles Ripley. William C. Bullock, Overton P. Hogan, George W. Silvertooth, Jesse W. Burton, William Howell, D. Howard Smith. John A. Cavan, David Irvine. C. J. Walton. William L. Conklin, Theodore Kohlhass, D. K. Weis. T. W. W. DeCourcey, John P. Martin, John Williams, George T. Edwards, Robert C. Palmer, Tucker Woodson-22. Sylvester Harris,

Those who voted in the negative, were-

Charles H. Allen,
John S. Barlow,
Nathaniel Collins,
Wiley S. Hay,
Shelby Stone,
James Sudduth,
W. H. Wadsworth,
William C. Gilliss,
James D. Hardin.

Wiley S. Hay,
Shelby Stone,
James Sudduth,
W. H. Wadsworth,
George Wright—13.

The question was then taken on inserting the words "ten thousand dollars," and it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The year and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were-

Wiley S. Hay, Charles H. Allen, Charles Ripley, James F. Buckner, James D. Headley, D. Howard Smith, Overton P. Hogan, C. J. Walton, Wm. C. Bullock, John A. Cavan, David Irvine, D. K. Weis Theodore Kohlhass, William L. Conklin, John Williams, Tucker Woodson-20. John P. Martin, George T. Edwards, Robert C. Palmer, Sylvester Harris,

Those who voted in the negative, were—

John S. Barlow, James D. Hardin, George W. Silvertooth, Samuel Howard, Shelby Stone, Nathaniel W. Collins, William Howell, T. W. W. DeCourcey, John Q. A. King William C. Gilliss, Daniel Matthewson, George Wright—15.

Resolved, That the title thereof be as aforesaid.

The Senate took up for consideration the bill to amend the law in relation to brokers, and after some discussion had thereon,

The Senate adjourned.

WEDNESDAY, MARCH 5, 1856.

A message was received from the House of Representatives, announcing their disagreement to bills from the Senate of the following titles, viz:

An act for the benefit of Johnathan Vancleave and Matthew Murphy, trustees of school district No. 75, Daveiss county.

An act for the benefit of common school districts in this Common-wealth.

An act for the benefit of school district in Fulton county.

An act for the benefit of school district in Carroll county.

An act for the benefit of school district No. 38, in Grayson county.

That they had passed bills from the Senate of the following titles, viz:

An act in relation to the Bourbon Academy.

An act to incorporate the Ashland Female Seminary.

An act for the benefit of the Columbus Masonic Seminary.

An act to establish Olivet University.

An act to incorporate the United Baptist Church, at Owensboro'.

An act to incorporate the Salem Presbyterial Academy.

An act incorporating the Eminence High School.

An act to incorporate the Crittenden Male and Female Academy.

An act to amend the Savings Institution at Harrodsburg.

An act to incorporate the Board of Trustees of the Kentucky Female College.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act to incorporate the Public Church and School House Company.

An act for the benefit of school district in Jefferson county.

An act to reorganize Transylvania University, and establish a school for teachers.

An act for the benefit of the State Road from Mt. Sterling to the Virginia State Line.

An act for the benefit of King F. Baker and his illegitimate son, Curtis Davis.

An act to amend an act, entitled, an act to incorporate the Mayslick Male and Female Academy, approved March 4, 1854.

An act to incorporate the Minerva Seminary, in Mason county.

An act to incorporate the Sayre Female Institute, in the city of Lexington.

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An act for the benefit of the county court of Montgomery county.

An act in relation to Franklin Academy, in the town of Washington.

An act for the benefit of school district, No. 1, in Graves county.

An act to incorporate the Green river Education Society.

An act to incorporate the Lafayette Male Academy, in Christian county.

An act to change the time of the meeting of the General Assembly. An act for the benefit of certain fractions of common school districts, in Pulaski county.

An act for the benefit of Jacob T. Miller.

An act for the benefit of the law department of the Transylvania University.

That they had received official information from the Governor that he had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Bloomfield and Taylorsville Turnpike road Company.

An act to incorporate the Columbia Male and Female High School. An act to establish a Sinking Fund for the county of Clarke.

An act incorporating the Harrodsburg and Cornishville Turnpike road Company.

An act for the benefit of James M. Bumpass, of Caldwell county. An act to incorporate Bell Colline Female College, Franklin county.

An act for the benefit of John G. Shacklett.

An act for the benefit of Charles Stricker, Sheriff of Campbell county.

An act to incorporate the Union and Richwood Turnpike road Company.

An act to charter the Breckinridge Coal Oil Company.

An act to amend and reduce into one the several acts concerning the town of Bowlinggreen.

An act to regulate the office of Clerk of the Court of Appeals.

An act for the benefit of the Trustees of the Methodist Episcopal Church, South, in the county of Henry.

Approved March 4, 1856.

Mr. Irvine, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to improve the State road from Columbia to Albany.

An act to incorporate the Millersburg Male and Female Collegiate Institute.

An act to amend section 17, article 4, chapter 47 of Revised Statutes.

An act for the incorporation of the Philomathean Society of Bethel College, in Russellville, Kentucky.

An act to change the time of holding the Court of Claims in Madison county.

An act to incorporate the Harrison County Agricultural and Mechanical Association.

An act to amend the charter of the town of Alexandria.

And enrolled bills which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled, an act to incorporate the Hickman and State Line Plank Road Company.

An act to amend the charter of the Helena Turnpike road Company.

An act to amend the charter of the Knob Lick Turnpike road Com-

An act to incorporate the Barren County and Mammoth Cave Plank road Company.

An act to incorporate the Stoney Hill Turnpike road Company. An act to incorporate the Merchants Deposit Bank of Danville.

An act to amend an act incorporating the Jamestown Turnpike Company, approved March 1, 1824.

An act to amend the charter of the Covington and Lexington and Lexington and Danville Railroad Companies.

An act to incorporate the Paducah and Blandville Turnpike Com-

An act to amend an act, entitled, an act to incorporate the Franklin and Owen Turnpike Company.

An act to incorporate the Deposit Bank of Lebanon.

An act to incorporate the Cumberland River Coal and Lumber Company.

An act regulating the time of holding the Circuit Courts.

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Irvine reported that the committee had performed that duty.

Bills from the House of Representatives of the following titles were severally read the first time, viz:

An act to amend chapter one hundred and three of the Revised Statutes, title "Turnpike and Plank Roads."

An act to incorporate the Bagdad and Harrisonville Turnpike road Company.

An act to amend an act authorizing the Oakland Plank road Company to construct a branch road.

An act to incorporate the Louisville Bridge Company.

An act to incorporate the Section Dock Company at Smithland.

An act to incorporate the Falmouth and Milford Turnpike road Com-

An act to incorporate the Falmouth and Claysville Turnpike road Company.

An act incorporating Turnpike roads in Green county.

An act to sell the stone owned by the State on Licking river.

An act for the benefit of Turnpike roads in which the State is a stockholder.

An act for the benefit of the Lancaster and Crab Orchard Turnpike road Company.

An act to incorporate the Muldraugh's Hill, Campbellsville, and Columbia Turnpike road Company.

Which were read the first time, and ordered to be read a second time. The constitutional provision as to the second and third readings of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A bill from the House of Representatives, entitled,

An act for the benefit of the President of the Board of Internal Improvement

Was read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by the Constitution, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain, James F. Buckner, William C. Bullock, Jesse W. Burton, John A. Cavan. Nathaniel W. Collins, David Irvine, William L. Conklin, T. W. W. DeCourcey, Theodore Kohlhass, George T. Edwards,

William C. Gillis, Sylvester Harris, Wiley S. Hay, Samuel Howard, William Howell. John Q. A. King, Daniel Matthewson,

Charles Ripley, George W. Silvertooth, D. Howard Smith, Shelby Stone, James Sudduth, W. H. Wadsworth, John Williams, Tucker Woodson. George Wright-27.

Those who voted in the negative, were-

John S. Barlow, James D. Hardin.

Overton P. Hogan, John P. Martin,

C. J. Walton. D. K. Weis-6. Resolved, That the title thereof be as aforesaid.

A bill from the House of Representatives, entitled,

An act to authorize the President of the Board of Internal Improvement to purchase a certain lot of land at Lock No. 3, on Green river,

Was read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by the Constitution, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen,	Sylvester Harris,	D. Howard Smith,
Robert Blain,		Shelby Stone,
James F. Buckner,	Overton P. Hogan,	James Sudduth,
William C. Bullock,	Samuel Howard,	W. H. Wadsworth,
Jesse W. Burton,	William Howell,	C. J. Walton,
John A. Cavan,	John Q. A. King,	D. K. Weis
William L. Conklin,	Theodore Kohlhass,	John Williams,
George T. Edwards,	Daniel Matthewson,	Tucker Woodson,
William C. Gillis,	Charles Ripley,	George Wright-29.
James D. Hardin,	George W. Silvertooth,	history

Those who voted in the negative, were-

John S. Barlow, John P. Martin-2.

Resolved, That the title thereof be as aforesaid.

The amendments proposed by the House of Representatives to bills from the Senate of the following titles, viz:

An act to charter the Tradewater Coal and Iron Mining Company.

An act to amend the act incorporating the Lexington and Winchester Turnpike road Company.

An act to incorporate the Nashville and North-western Railroad Company.

An act to incorporate the Board of Trustees of the Kentucky Female College.

Were taken up, twice read, and concurred in.

The amendments proposed by the House of Representatives to a bill from the Senate, entitled,

An act to allow R. M. Bradley & Co. to build dams and buildings on the Cumberland river, and for other purposes.

Were taken up, twice read, and concurred in, with an amendment.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

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By Mr. Hay—1. A bill supplemental to an act, entited, an act to incorporate the Rough Creek Navigation and Manufacturing Company.

By Mr. Sudduth—2. A bill for the benefit of the town of Cynthiana. By same—3. A bill to incorporate Hope Lodge, No. 246, of Free and Accepted Masons.

By same—4. A bill to incorporate the Benevolent Lodge, No. 58, of Ancient York Masons.

By same—5. A bill to amend the charter of the Kentucky Coal and Iron Company.

By Mr. Silvertooth—6. A bill for the benefit of the Clerk of the Hickman Circuit Court.

By Mr. Wright—7. A bill to change the place of voting in the third district in Simpson county.

By Mr. Gillis—8. A bill authorizing the Trustees to sell and appropriate the Seminary lands of Laurel county.

By same—9. A bill for the benefit of William M. Smith, of Rock-castle county.

By Mr. Palmer-10. A bill for the benefit of the Sheriff of Washington county.

By Mr. Barlow, from the committee on Finance—11. Λ bill for the benefit of the Western Lunatic Asylum.

By same—12. A bill for the benefit of the Eastern Lunatic Asylum at Lexington.

By Mr. Wadsworth—13. A bill for the benefit of those who may become the purchasers of the Lexington and Maysville Railroad.

By Mr. Smith-14. A bill to amend the charter of the city of Lexington.

By Mr. Sudduth—15. A bill to repeal all laws authorizing a license to be issued to brokers.

By Mr. Bullock-16. A bill authorizing the sale of Buck Creek Seminary property, in Shelby county.

By same—17. A bill to revive and amend an act, entitled, an act to incorporate the Salt River Turnpike road Company.

By same—18. A bill to amend an act, incorporating the town of Sardis, in Mason county.

By same—19. A bill to authorize the town of Morgantown to elect a Police Judge and town Marshall.

By same—20. A bill for the benefit of J. B. Howe and S. P. Williams.

By same-21. A bill to incorporate the Kentucky Female Institute.

By same—22. A bill to incorporate the Paducah and Nashville Telegraph Company.

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By same—23. A bill to incorporate Robert Burns Lodge, No. 163, Ancient York Masons.

By same—24. A bill to repeal an act, approved March 7, 1854, to regulate the appointment of Superintendent of the Western Lunatic Asylum.

By same-25. A bill to incorporate the South Kentucky Manufac-

turing Company.

By same—26. A bill to amend and reduce into one, the several acts incorporating the town of Dover, Mason county.

By same-27. A bill to incorporate the Ashland Life Insurance

Company.

Which were read the first time and ordered to be read a second time. The constitutional provision as to the second reading of said bills being dispensed with—the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 13th, 14th, 16th, 17th, 18th, 19th, 20th, 21st, 22d, 23d, 24th, 25th, 26th and 27th, were ordered to be engrossed and read a third time; the 11th and 12th were ordered to be printed, and made the special order of the day, for to-morrow at 3 o'clock, P. M.; the 15th was made the special order of the day, for the 8th inst., at 10 o'clock, A. M.

The constitutional provision as to the third reading of the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 13th, 14th, 16th, 17th, 18th 19th, 20th, 21st, 22d, 23d, 24th, 25th, 26th and 27th, being dispensed with,

and the same being engrossed.

Resolved, That said bills do pass, and that the titles thereof be as

aforesaid.

Mr. Silvertooth, from the committee on the Judiciary, reported a bill to authorize the County Court of Hickman to issue tax warrants in favor of the Mobile and Ohio Railroad Company, which was read the first time, as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky: That it shall and may be lawful for the County Court of Hickman county, a majority of all the Justices of the Peace of said county being present and concurring therein, to cause to be stricken and printed in apt and proper form warrants of various amounts, of not less than three nor more than twenty dollars, after the following form and manner, viz:

HICKMAN COUNTY TAX WARRANT.

For the Mobile and Ohio Railroad Company.

By authority of the Legislature of the Commonwealth of Kentucky, The county of Hickman promises to pay to bearer, at the County Court Clerk's office of said county, on the 1st day of October, 185—, the sum of —— dollars, with interest from date, or this Warrant will be received in payment of the railroad tax of said county for the year 185—.

§ 2. That said warrants shall be signed by the County Judge of said county, and countersigned by the Clerk of said County Court; and

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that the warrants thus prepared and assigned as aforesaid, may be passed and delivered to the Mobile and Ohio Railroad Company upon such terms as by the County Court of said county and said company be agreed upon; and when thus delivered shall be and become the valid obligation of the county of Hickman to pay the sum in such warrant expressed, on the terms therein named.

§ 3. That the County Judge of said county shall not use the warrants for any other purpose than in the payment and discharge of the contract of Hickman county, by which said county became subscriber for five hundred shares of the capital stock of the Mobile and Ohio

Railroad Company.

§ 4. That the County Judge of Hickman county shall be by this act entitled and authorized to issue warrants, as by this act directed, for no greater sums than may be requisite for the payment of ten thousand dollars, including the interest thereon, for the year 1857, and a similar sum for the year 1858; and for any amount greater than that aforementioned, the County Judge and the Clerk of the Hickman County Court shall be personally responsible.

§ 5. That the true intent and meaning of this act may not be misunderstood, it is declared that the said County Court may exercise its pleas-

ure and discretion as to the issual of said warrants.

§ 6. That this act shall take effect from its passage.

Ordered, That said bill be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs Hogan and Walton, were as follows, viz:

Those who voted in the affirmative, were-

Jesse W. Burton, Samuel Howard, Shelby Stone, Nathaniel W. Collins, John Q. A. King James Sudduth, T. W. W. DeCourcey, Daniel Matthewson, John Williams, William C. Gilliss, George W. Silvertooth, Tucker Woodson-13. Wiley S. Hay,

Those who voted in the negative, were-

Charles H. Allen, Sylvester Harris, John S. Barlow, Overton P. Hogan, D. Howard Smith, Robert Blain, William Howell, Theodore Kohlhass, James F. Buckner, Wm. C. Bullock, John P. Martin, John A. Cavan, Robert C. Palmer, William L. Conklin,

Charles Ripley, W. H. Wadsworth, C. J. Walton, D. K. Weis George Wright-19.

Mr. Silvertooth, from the same committee, reported a bill to amend an act incorporating the city of Hickman, which was read as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That article first, and section first, of an act, entitled, an act to amend

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and reduce into one, the several acts respecting the town of Hickman, approved March 10th, 1854, be and the same is hereby so amended as to change and extend the corporate limits of said town as follows, towit: Commencing at the western boundary of Washington street, at the Mississippi river, running down the river, to the mouth of the big slough, near P. N. Marr's mill; thence south-east, running parallel with Washington street, to a point opposite the west end of Wilson street, so as not to make an angle in said line, with the continuation of Wilson street; thence running east with Wilson street, along its south boundary, to the east end of said street; thence on a direct line across the land of G. W. L. Marr, to the west end of Holly street, in East Hickman, striking the end of the southern boundary line of said street; thence southwardly on a straight line that will make no angle with the east boundary line of the outside street of East Hickman, the same having no name, but being an extension of Alleghany street, a distance of one thousand five hundred feet; thence eastwardly, running on a straight line parallel with Holly street, to a point one thousand five hundred feet beyond the point where the extension of the eastern boundary of Seventh street, would strike said parallel line; thence on a direct line northwardly parallel with Seventh street, to Bayou de Chein; thence down said Bayou to the river; thence down the river with its meanderings, to Fourth street, the present boundary on the east.

Sec. 2. That the Mayor and Council of the city of Hickman, shall have as full and complete jurisdiction, power and authority over the territory hereby added as are conferred by the act to which this is an

amendment. § 3. That the City Council shall on or before the first day of July, 1856, cause the boundary lines of said city, as in the first section hereof set forth, to be run out and marked, each corner being designated by corner stones or durable posts; and a failure herein shall be considered a high misdemeanor, and the Mayor and Councilmen of said city, for a failure herein, shall be liable to an indictment by the Grand Jury of Fulton county, and fined each not less than twenty nor more than fifty dollars, at the discretion of a jury, and for an additional failure for three months after the first day of July, 1856, the respective offices of said Mayor and Councilmen shall be vacant, and an election held as directed by the act to which this is an amendment.

§ 4. That this act shall take effect from its passage.

Ordered, That said bill be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Silvertooth moved to amend said bill, by adding the following

proviso:

Provided, however, That the city council of Hickman shall have no power to impose a tax for any purpose upon any real estate included in said extension, until the same shall be laid off in lots as part and parcel of said city.

Ordered, That said bill, as amended, be engrossed and read a third

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The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. King and Hogan, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, William C. Gillis, Charles Ripley, John S. Barlow, James D. Hardin, George W. Silvertooth, Robert Blain, Sylvester Harris, Shelby Stone, James F. Buckner, Wiley S. Hay, James Sudduth, William C. Bullock, Samuel Howard, W. H. Wadsworth, Jesse W. Burton, William Howell, D. K. Weis, William L. Conklin, David Irvine, John Williams. T. W. W. DeCourcey, Theodore Kohlhass, Tucker Woodson-25. George T. Edwards.

Those who voted in the negative, were-

Overton P. Hogan, John Q. A. King, Robert O. John Q. Montin. D. Howard Smith, Daniel Matthewson, C. J. Walton. George Wright-8.

Resolved, That the title of said bill be as aforesaid.

On motion of Mr. Hardin-

Ordered, That a message be sent to the House of Representatives asking leave to withdraw the report of the Senate announcing the passage of a bill entitled,

An act to amend the charter of the Lexington and Danville Railroad Company.

After a short time the messenger returned with said bill.

Mr. Barlow moved to re-consider the vote passing said bill.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be referred to the committee on Internal Improvement.

Mr. Palmer, from a select committee, reported a bill to amend the act incorporating the Springfield and Bardstown Turnpike road Com-

Which was read the first time and ordered to be read a second time. The constitutional provision as to the second reading of said bill being dispensed with.

The question was taken on ordering said bill to be read a third time, and it was decided in the negative.

Mr. Sudduth, from the committee on the Geological Survey, to whom was referred a bill making appropriations for Schools, reported the same with an amendment as a substitute therefor.

Ordered, That the Public Printer print 150 copies of the amendment, for the use of the General Assembly.

Mr. Bullock, from the committee on the Judiciary, reported a bill for

the benefit of the Treasurer of the State of Connecticut.

Which was read the first time and ordered to be read a second time.

The constitutional pro vision as to the second and third readings of said bill being dispensed, and the same being engrossed,

The question was taken on the passage of said bill, and it was de-

cided in the affirmative.

The yeas and nays being required thereon, by the Constitution, were as follows, viz:

Those who voted in the affirmative, were-

Shelby Stone, John S. Barlow, Wiley S. Hay, James Sudduth, Samuel Howard, James F. Buckner, William C. Bullock, William Howell, W. H. Wadsworth, C. J. Walton, David Irvine. John A. Cavan,
William L. Conklin,
T. W. W. DeCourcey,
John P. Martin,
Daniel Matthewson,
John Williams,
Tucker Woodson, John A. Cavan, George T. Edwards, Daniel Matthewson, William C. Gilliss, George W. Silvertooth, George Wright-26. D. Howard Smith, James D. Hardin,

Those who voted in the negative, were-

Overton P. Hogan-1.

The Senate took up for consideration a bill from the House of Representatives, entitled,

An act for the benefit of J. L. Jenkins, late Sheriff of Henry county. The question was then taken on the passage of said bill, it was decided in the affirmative.

The yeas and nays being required thereon, by the Constitution, were as follows, viz:

Those who voted in the affirmative, were-

George W. Silvertooth, Overton P. Hogan, Charles H. Allen, Shelby Stone, Samuel Howard, John S. Barlow, James Sudduth, William Howell, Robert Blain, William C. Bullock, David Irvine, W. H. Wadsworth, Jesse W. Burton, John Q. A. King, C. J. Walton, D. K. Weis, Theodore Kohlhass, John A. Cavan, George T. Edwards, John P. Martin, John Williams, Sylvester Harris, Dames Ripley, Tucker Woodson-26. Daniel Matthewson,

Those who voted in the negative, were-

William L. Conklin, George Wright-2.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State, announcing that he had approved and signed sundry enrolled bills which originated in the Senate of the following titles, viz:

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An act to amend and reduce into one the several acts concerning the town of Ghent.

An act to amend the charter of the town of Danville.

An act for the benefit of Jacob Rice, late Sheriff of Carter county. An act to establish an additional election precinct and place of voting in Christian county.

An act authorizing the county court of McLean to establish a ferry, or purchase the present ferry, over Green river, at Calhoon and Rumsey.

An act to incorporate Logan Lodge, No. 73, of the I. O. O. F., at Russellville, Ky.

Resolution in relation to the Hermitage.

Approved March 4, 1856.

Mr. Smith moved the following Resolution, viz:

Resolved, That the Senate hereafter will hold regular night sessions, commencing at half past seven o'clock.

Which was adopted.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State.

The rule of the Senate being dispensed with said message was taken up and read as follows, viz:

EXECUTIVE DEPARTMENT, Frankfort, March 5, 1856.

Gentlemen of the Senate:

I nominate for your advice and consent Thomas C. Leach, Washington Beverly, Henry F. Given, James L. Hodge, Thomas M. Davis, to be Trustees of the Cumberland Hospital.

C. S. MOREHEAD.

Resolved, That the Senate advise and consent to said nominations.

Mr. Bullock, from the committee on the Judiciary, to whom was referred a bill, entitled,

An act to amend the charter of the Covington and Lexington Railroad Company,

Reported the same with an amendment.

Which was concurred in.

Ordered. That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Bullock, from the same committee, to whom was referred a bill, entitled,

An act to extend the boundary of the city of Henderson,

Reported the same without amendment.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So the said bill was disagreed to.

Mr. Bullock, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act to incorporate Ringgold Lodge, No. 27, I. O. O. F.

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as afore-said.

Mr. Buckner, from the same committee, reported a bill for the benefit of Coal and Iron Miners.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. DeCourcey-

Ordered, That said bill be laid on the table.

A message was received from the House of Representatives, asking leave to withdraw their report announcing their disagreement to a bill from the Senate, entitled,

An act the better to define usury.

And the question being taken thereon, it was decided in the affirmative.

And the same was accordingly withdrawn.

And then the Senate adjourned.

THURSDAY, MARCH 6, 1856.

A message was received from the House of Representatives, announcing their disagreement to bills from the Senate of the following titles, viz:

An act for the benefit of Shelby College.

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An act the better to define usury.

An act for the benefit of the town of Prestonsburg.

That they had concurred in amendments proposed by the Senate to bills from the House of Representatives, of the following titles, viz:

An act in relation to the Kentucky Penitentiary.

An act to increase the number of election districts in Louisville.

An act for the benefit of the State Arsenal.

That they had passed bills from the Senate of the following titles, viz:

An act for the benefit of George W. Hampton, of Morgan county.

An act to prevent the destruction of fish in the waters of the North Fork of Licking river, within Mason and Bracken counties, and North Elkhorn, in Scott county.

An act to incorporate the Breckenridge and Grayson County Turn-pike road Company.

An act to incorporate the Hodgenville Turnpike road Company.

An act for the benefit of the Tuckahoe Ridge Turnpike Road Company, Mason county.

An act to incorporate Bagdad and Harrisonville Turnpike Road Company.

An act to amend an act, entitled, an act to incorporate the Kentucky Union Railway Company.

An act supplemental to an act incorporating the Kirksville Turnpike road Company, in Madison county.

An act to incorporate the Downingsville Turnpike road Company.

An act to change the name of the Clear Creek Towns.

An act to change the name of the Clear Creek Turnpike road Company.

An act to charter the Williamsburg, Cumberland River and Tennessee Railroad Company.

An act to amend the charter of the Danville, Dix River and Lancaster Turnpike road Company.

An act to authorize the County Court of Fulton county, to change the State road.

An act to incorporate a company to construct a turnpike road in Barren county.

An act to create an additional civil district in Hickman county.

An act changing the boundaries of certain election districts in Clarke county, and to change the voting place in district No. 5.

An act to repeal an act, entitled, an act to regulate the duties of the Christian County Court in laying the county levy.

An act for the benefit of Benjamin Norman, of Boone county.

An act for the benefit of Charles F. Jenkins, late sheriff of Caldwell and I.yon counties.

An act for the benefit of Wm Mayneer, sheriff of Morgan county. An act for the benefit of W. T. E. Furman.

An act for the benefit of Thomas Helm, late clerk of the circuit and county courts of Lincoln, Thomas B. Nichols, late clerk of the county court of Boyle, and Reuben McCarty, late clerk of the circuit and county courts of Pendleton.

An act to provide for any deficiency in the Treasury that may occur

during the year 1856.

An act for the benefit of Aaron Johnson, sheriff of Laurel county.

An act for the benefit of Braxton Small.

An act to incorporate the President and Board of Examination of Eddyville Female College.

An act to amend an act, entitled, an act to incorporate the Franklin

Female Institute.

An act to amend the charter incorporating the Parochial School of the Hanging Fork Presbyterian Church.

An act to amend an act, entitled, an act for the benefit of certain

common school districts in Boyle and Mercer counties.

An act authorizing the sale of Franklin school house and lot, in Boyle county.

An act authorizing the sale of Cranetown school house and lot, in

Boyle county.

An act for the benefit of the school commissioners of Owen county.

An act for the benefit of Ashland common school district in Greenup county.

An act to establish the Academical Institute of Louisville.

An act to incorporate and endow the Western Kentucky College.

An act to incorporate the Kentucky Christian Education Society.

An act for the benefit of Daniel Boone Eclectic Institute.

An act to incorporate the Daniel Boone Military Institute.

An act to incorporate the Union Mining and Manufacturing Company.

An act to incorporate the Logan county Agricultural and Mechanical Association.

An act to establish a uniform weight of coal.

An act to amend an act, entitled, an act to incorporate the Central Kentucky Agricultural and Mechanical Association.

An act to amend the charter of the city of Louisville.

An act to incorporate Carroll Lodge, No. 45, I. O. O. F.

An act to change the time of holding Harrison County Court.

That they had passed a bill entitled,

An act for the benefit of John S. Dorman.

That they had received official information from the Governor that he had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to amend section 17, article 4, chapter 47 of Revised Statutes.

An act to incorporate the Millersburg Male and Female Collegiate Institute.

An act to change the time of holding the Court of Claims in Madison county.

An act to incorporate the Harrison County Agricultural and Mechanical Association.

An act for the incorporation of the Philomathean Society of Bethel College, in Russellville, Kentucky.

An act to improve the State road from Columbia to Albany.

An act to amend the charter of the town of Alexandria.

Approved March 5, 1856.

Mr. Weis moved the following resolution, viz:

Resolved, That during the residue of the present session, the Senate will meet at half-past eight o'clock in morning, and set until half past one, meet again at three o'clock and sit until six, meet again at seven and set until eleven.

Which was adopted.

Mr. Bullock, from the committee on the Judiciary, to whom were referred bills from the House of Rapresentatives of the following titles, reported the same without amendment, viz:

An act incorporating Poage Lodge, No. 325, of Free and Accepted Masons.

An act to incorporate Gordonsville Lodge, No. 217, of Free and Accepted Masons.

An act to incorporate Bland Ballard Lodge, No. 38, I. O. O. F.

An act to abolish a ferry on the Ohio river, in Meade county.

An act to increase the powers of the Marshal of the town of Mount Sterling.

An act to amend the charter of New Haven.

An act to incorporate the Catholic Benevolent Society of Covington. An act to amend an act, entitled, an act for the incorporation of vol-

untary associations, approved March 9, 1854.

An act for the benefit of Edward Morriss, of Calloway county.

Ordered, That said bill be read a third time.

The constitutional provision as to the third readings of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

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Mr. Bullock, from the same committee, to whom were referred bills from the House of Representatives, of the following titles, reported the same without amendment, viz:

An act to amend the charter of the Falls City Bridge Company.

An act for the benefit of E. Shivel.

And the question being taken on ordering said bills to be read a third time, it was decided in the negative.

And so the said bills were disagreed to.

Mr. Bullock, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act to increase the jurisdiction of the Mayor's Court of Covington.

Reported the same with an amendment.

Which was concurred in.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

And so said bill was disagreed to.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State, announcing that he had approved and signed sundry enrolled bills which originated in the Senate of the following titles, viz:

An act regulating the time of holding the Circuit Courts.

An act to incorporate the Cumberland River Coal and Lumber Com-

An act to incorporate the Stoney Hill Turnpike road Company.

An act to amend an act incorporating the Jamestown Turnpike Company, approved March 1, 1824.

An act to amend the charter of the Helena Turnpike road Company.

An act to amend the charter of the Knob Lick Turnpike road Company.

An act to amend an act, entitled, an act to incorporate the Franklin and Owen Turnpike Company.

An act to amend the charter of the Covington and Lexington and Lexington and Danville Railroad Companies.

An act to incorporate the Paducah and Blandville Turnpike Comany.

An act to incorporate the Barren County and Mammoth Cave Plank road Company.

An act to amend an act, entitled, an act to incorporate the Hickman and State Line Plank Road Company.

An act to incorporate the Merchants' Deposit Bank of Danville.

An act to incorporate the Deposit Bank of Lebanon.

Approved March 5, 1856.

Mr. Irvine, from the committee on Enrollments, reported that the committee had examined enrolled bills and a preamble and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act to relieve common school districts not regularly reported.

An act to incorporate Bethel College, at Russellville,

An act for the benefit of J. L. Jenkins, late Sheriff of Henry county.

An act in aid of counties which have subscribed to the capital stock of the Louisville and Nashville Railroad,

An act to establish the Deposit Bank of Winchester,

An act for the benefit of Clerk of Oldham County and Circuit Courts.

An act to change the time of holding the Breckinridge and Ohio Quarterly Courts.

An act for the benefit of the President of the Board of Internal Im-

An act to sell the stone owned by the State on Licking river.

An act for the benefit of Turnpike roads in which the State is a stockholder.

An act for the benefit of the Lancaster and Crab Orchard Turnpike road Company.

Preamble and resolutions in relation to the Missouri Compromise and Kansas-Nebraska act.

And enrolled bills which originated in the Senate, of the following titles, viz:

An act to amend the act incorporating the Henderson and Nashville Railroad Company, approved March 4, 1850.

An act to incorporate the Russellville, Elkton, Hopkinsville, and Paducah Railroad Company.

An act to incorporate the Crittenden Male and Female Academy.

An act to incorporate the New Orleans and Ohio Telegraph lessees.

An act to establish Olivet University.

An act to amend the charter of the Maysville, Washington, Paris and

Lexington Turnpike road Company.

An act to incorporate the Muhlenburg Mining and Manufacturing Company.

An act to incorporate the Burksville and Columbia Turnpike Company.

An act incorporating the Hustonville and McKinney's Station Turnpike road Company.

An act to incorporate the Kentucky and Tennessee Mining and Manufacturing Company.

An act to amend the charter of the Henderson and Hibbardsville Plank road Company.

An act incorporating the Eminence High School.

An act to incorporate the Salem Presbyterial Academy.

An act to incorporate the United Baptist Church, at Owensboro'.

An act to amend the charter of the Bardstown and Louisville Rail-road Company.

An act to amend the charter of the Georgetown and Paris Turnpike

road Company.

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Irvine reported that the committee had per-

formed that duty.

Mr. Buckner, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled,

An act to mitigate the punishment for dueling,

Reported the same without amendment.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky: That hereafter, any person who may be convicted under article nineteen of chapter twenty-eight of the Revised Statutes, shall not be deprived of the right of suffrage in consequence of such conviction, and so much of paragraph four of said article, as is inconsistent with this act, is hereby repealed.

Mr. Hardin moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative

The yeas and nays being required thereon, by Messrs. Sudduth and King, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, George T. Edwards, Overton P. Hogan, Lambert Blain, James D. Hardin, C. J. Walton, Tucker Woodson—9.

Those who voted in the negative, were-

John S. Barlow,
James F. Buckner,
William C. Bullock,
Jesse W. Burton,
David Irvine,

John Q. A. King,
Theodore Kohlhass,
John P. Martin,
Daniel Matthewson,
David Irvine,

Shelby Stone,
James Sudduth,
W. H. Wadsworth,
D. K. Weis—13.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So the said bill was disagreed to.

The Senate took up for consideration a bill for the benefit of the Western Lunatic Asylum.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealthof Kentucky, That there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to the Western Lunatic Asylum the following sums, viz: For a well and two large cisterns, one thousand dollars; for paving and grading, one thousand dollars; for additional furniture and bedding, one thousand dollars per annum for the years 1856 and 1857.

§ 2. That for the purpose of paying the several balances due for the current expenses for the past year, there is hereby appropriated the sum of six thousand three hundred and one dollars and sixty-one cents, which may be drawn by the board of managers at any time after the

passage of this act.

§ 3. For the purpose of paying the several balances due to contractors for work done on said Asylum, and for materials furnished for same, there is hereby appropriated the further sum of seventeen thousand three hundred and twenty-five dollars and ninety-one cents, to be drawn by Robert McKee, Zach. Glass, and John Stites, commissioners heretofore appointed to audit and settle the accounts of said Asylum; and they are hereby required, upon the receipt of the same, to pay it over to the several contractors to whom the same is due, as shown by their report to the present General Assembly, and that said sum specified in this section may be drawn at any time after the passage of this act.

Mr. Wadsworth moved to strike out the second and third sections of said bill.

And the question being taken thereon, it was decided in the affirmative.

The year and nays being required thereon by Messrs. Buckner and Hardin, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen,
John S. Barlow,
Jesse W. Burton,
John A. Cavan,
Nathaniel W. Collins,
William Howell,

T. W. W. DeCourcey,
John P. Martin,
George W. Silvertooth,
James D. Hardin,
James Sudduth,
W. H. Wadsworth,
D. K. Weis—17.

Those who voted in the negative, were-

Robert Blain, Wiley S. Hay, Robert C. Palmer, James F. Buckner, David Irvine, Under George T. Edwards, William T. Haggin, Sylvester Harris, Sylvester Harris, Robert C. Palmer, D. Howard Smith, John Williams, Tucker Woodson, George Wright—16.

Mr. Sudduth moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Irvine and Smith, were as follows, viz:

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Those who voted in the affirmative, were-

Charles H. Allen,	James D. Hardin,	George W. Silvertooth,
John A. Cavan,	Sylvester Harris,	James Sudduth,
Nathaniel W. Collins,	John Q. A. King,	C. J. Walton-10.
T. W. W. DeCourcev.		

Those who voted in the negative, were-

John S. Barlow,	William T. Haggin,	Daniel Matthewson,
Robert Blain,	Wiley S. Hay,	Robert C. Palmer,
James F. Buckner,	Overton P. Hogan,	D. Howard Smith,
William C. Bullock,	Samuel Howard,	W. H. Wadsworth,
Jesse W. Burton,	William Howell,	D. K. Weis,
William L. Conklin,	David Irvine,	John Williams,
George T. Edwards,	Theodore Kohlhass,	Tucker Woodson,
William C. Gilliss,	John P. Martin,	George Wright-24.

Mr. Smith moved the previous question.

And the question being taken, shall the main question be now put? it was decided in the affirmative.

The question was then taken on ordering said bill to be engrossed and read a third time, and it was decided in the negative.

And so the said bill was rejected.

The Senate took up for consideration a bill for the benefit of the Eastern Lunatic Asylum at Lexington.

Said bill reads as follows, to-wit:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky: That the sum of seventeen thousand dollars is hereby appropriated to the Eastern Lunatic Asylum, at Lexington, for the purpose of liquidating the debt incurred for the support of said institution for the years 1854 and 1855—the appropriation of the last Legislature having not been sufficient for that purpose; also, two thousand five hundred dollars to repair water closets and bath rooms; and five hundred dollars to secure the windows in said building. All of which sums shall be paid out of any moneys in the Treasury not otherwise appropriated, on the warrant of the Auditor of Public Accounts, drawn in favor of the managers of said institution.

§ 2. That it shall be the duty of the managers of said institution to let out the repairs contemplated by the foregoing section of this act, after sufficient public notice, to the lowest and best bidder; and should said managers exceed the appropriations hereby made for repairs, they shall be held personally liable for such excess.

Mr. Barlow moved to strike out seventeen thousand and insert in lieu thereof, ten thousand.

Mr. Wright moved to lay said bill and amendments on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and King, were as follows, viz:

Those who voted in the affirmative, were-

James F. Buckner, James D. Hardin, Nathaniel W. Collins, Sylvester Harris, T. W. W. DeCourcey, John Q. A. King, George T. Edwards,

James Sudduth. C. J. Walton. George Wright-10.

Those who voted in the negative were-

Charles H. Allen, John S. Barlow, Robert Blain, William C. Bullock, William Howell. Jesse W. Burton, David Irvine, D. K. Weis, William C. Gillis,

Wiley S. Hay,
Overton P. Hogan,
Samuel Howard

Daniel Matthewson,
Robert C. Palmer, Samuel Howard, Theodore Kohlhass, William T. Haggin, John P. Martin, Tucker Woodson-21.

T. sauchte and Texalations in volation to the Missour Commonies.

respect was received from the Coverney, by Mr. Hab Garager, A. eine tage has becomed before their second and aget the first

D. Howard Smith. D. Howard Smith, W. H. Wadsworth, John Williams.

And after some discussion had on the said bill, the Senate adjourned.

FRIDAY, MARCH 7, 1856.

A message was received from the House of Representatives, announcing that they had passed bills and adopted a resolution of the following titles, viz:

An act for the benefit of George Early.

An act to give further protection to slave property.

An act for the appropriation of money.

Resolution in relation to the Eastern and Western Lunatic Asylums.

That they had passed bills from the Senate of the following titles, viz: An act to establish the Deposit Bank of Carlise.

An act to amend chapter 86, articles 3 and 4, of the Revised Statutes, title, "Lands and Slaves of Infants," &c.

An act to incorporate the Agricultural Deposit Bank of Lexington. An act to provide for the prosecution of the geological, mineralogical, chemical, topograpical, and agricultural survey of the State.

That they had received official information from the Governor that he had approved and signed enrolled bills and a preamble and resolutions which originated in the House of Representatives, of the following titles, viz:

An act to sell the stone owned by the State on Licking river.

An act for the benefit of turnpike roads in which the State is a stockholder.

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An act for the benefit of the Clerk of the Oldham County and Circuit Courts.

An act to change the time of holding the Breckinridge Quarterly

An act to change the time of holding the Quarterly Courts in the counties of Knox and Harlan.

An act for the benefit of the President of the Board of Internal Improvement.

An act to incorporate Bethel College, at Russelville.

An act for the benefit of the Lancaster and Crab Orchard Turnpike

An act for the benefit of J. L. Jenkins, late Sheriff of Henry county.

An act to establish the Deposit Bank of Winchester.

An act to relieve common school districts not regularly reported.

An act for the benefit of Hardin county.

Preamble and Resolutions in relation to the Missouri Compromise, Kansas-Nebraska act, &c. Approved March 6, 1856.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State, announcing that he had approved and signed sundry enrolled bills which originated in the Senate of the following titles, viz:

An act to incorporate the Salem Presbyterian Academy.

An act to incorporate the New Orleans and Ohio Telegraph Lessees. An act to amend the Bardstown and Louisville Railroad Company.

An act incorporating the Eminence High School.

An act to amend the charter of the Georgetown Turnpike road Com-

pany.

An act to amend the act incorporating the Henderson and Nashville

Railroad Company, approved March 4, 1850.

An act to establish Olivet University.

An act to incorporate the United Baptist Church, at Owensboro'.

An act to incorporate the Crittenden Male and Female Academy.

An act to incorporate the Kentucky and Tennessee Mining and Manufacturing Company.

An act to amend the charter of the Henderson and Hopkinsville Plank road Company.

An act to incorporate the Burksville and Columbia Turnpike road Company.

An act to incorporate the Muhlenburg Mining and Manufacturing

ompany.

An act to amend the charter of the Maysville, Washington, Paris

An act to amend the charter of the Maysville, washington, rank and Lexington Turnpike road Company. y

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An act incorporating the Hustonville and McKinney's Station Turnpike road Company.

An act to incorporate the Russellville, Elkton, Hopkinsville and Paducah Railroad Company.

Approved March 6, 1856.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to a resolution from that House in relation to printing the report of the State Geologist.

Also, their disagreement to a bill from the Senate, entitled,

An act to amend the charter of Kentucky Coal and Iron Company. That they had passed bills from the Senate of the following titles, viz:

An act to amend in part the 61st chapter of the Revised Statutes.

An act to incorporate the Versailles and South Elkhorn Turnpike road Company.

An act for the benefit of M. T. Shelburne, of Ballard county.

An act to repeal an act, passed by the present General Assembly, amending the charter of the Covington and Dry Creek Turnpike road Company.

An act supplemental to an act, entitled, an act to incorporate the Rough Creek Navigation and Manufacturing Company.

An act to incorporate Hope Lodge, No. 246, of Free and Accepted Masons.

An act to incorporate Benevolent Lodge, No. 58, of Ancient York Masons.

An act to incorporate the Savings Bank of Kentucky, at Covington.

An act to prevent the selling and using of certain weapons.

With an amendment to the last named bill,

That they had passed bills of the following titles, viz:

An act to repeal all lottery grants in this Commonwealth.

An act for the benefit of the administrators of John Gilbert, dec'd.

An act to incorporate Taylor Lodge, No. 34, I. O. O. F.

An act incorporating the Crab Orchard and Gilmore's Lick Turnpike Company.

Mr. DeCourcey, from the committee on County Courts, to whom was referred a bill from the House of Representatives, entitled,

An act to fix the time of holding the Quarterly Court in Barren county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as afore-said.

Bills from the House of Representatives, of the following titles, were severally read the first time, viz:

An act for the benefit of the County Court of Montgomery.

An act to amend the charter of the North Middletown, Mount Ida, and Mount Sterling Turnpike road Company.

An act to authorize the County Court of Montgomery county to subscribe stock to turnpike roads in that county, and to levy a tax to pay such subscriptions.

Mr. Bullock, from the committee on Judiciary, reported a bill changing the name of the town of Hardinsville, in Shelby county, to that of Graffenburg.

Mr. Bullock, from the same committee, to whom was referred bills from the House of Representatives of the following titles, viz:

An act for the benefit of the town of Calhoon.

An act to incorporate the town of Hazel Green.

An act to amend an act, entitled, an act to establish the town of Frederick, in Barren county, approved 6th February, 1839.

An act to amend and reduce into one the several acts concerning the town of Taylorsville.

An act extending the mechanics' lien law to the town of Lebanon and Marion county.

An act incorporating Hustonville Lodge, No. 184, of Free and Accepted Masons.

An act incorporating Springfied Lodge, No. 139, of Free and Accepted Masons.

An act to incorporate Tompkinsville Lodge, No. 321, of Free and Accepted Masons.

An act to incorporate Schiller Lodge, No. 64, I. O. O. F.

An act to incorporate lon Lodge, No. 301, of Free and Accepted Masons.

An act to incorporate Good Samaritan Lodge, No. 174, of Free and Accepted Masons.

An act to incorporate McLean Lodge, No. 120, I. O. O. F. An act to incorporate Rusling Lodge, No. 112, I. O. O. F.

An act to meet potents reading 2009, An act to amend the charter of the Odd Fellows' Hall Association, of Covington.

An act for the benefit of the mechanics of McLean county.

An act to incorporate the Maysville Marine and Life Insurance Com-

An act to incorporate College City, in Caldwell county.

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An act to incorporate the Union Insurance Company of Louisville.

An act to incorporate the Young America Insurance Company.

An act to amend an act, entitled, an act to incorporate the Kentucky and Louisville Mutual Insurance Company.

An act for the benefit of the mechanics and laborers of Oldham, Hickman, Garrard, and Hancock counties.

An act for the benefit of the Jailer of Graves county.

An act to incorporate the Ballard and Graves county Railroad Company.

An act for the benefit of trustees of the town of Princeton.

An act directing the boundary line between the counties of Butler and Ohio, to be run and re-marked.

An act to amend an act, entitled, an act to amend an act incorporating the town of Raywick.

An act to authorize the County Court of Hopkins to sell the poorhouse and the land on which it is situated.

An act concerning the town of Versailles.

An act for the benefit of the estate of Joseph Robb, dec'd.

An act to incorporate Claysville Division No. 346, Sons of Temperance.

An act for the benefit of Caroline B. Anderson.

An act to continue in force an act to incorporate the town of Port Royal, Henry county.

An act for the benefit of the administrator of John M. Dyer, deceased.

An act to incorporate Bigham Lodge, No. 256, of Free and Accepted Masons.

An for the benefit of Barbette Rosenthal.

An act to incorporate the town of Paradise.

An act for the benefit of the kindred of Louisa Smith.

An act for the benefit of James M. Thurman, of Bullitt county.

An act for punishing negro stealing.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with.

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bullock, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act to amend the law in relation to attachments in civil cases.

Reported the same with an amendment.

Which was concurred in.

Ordered, That said bill as amended be read a third time.

Mr. Bullock, from the same committee, to whom were referred bills from the House of Representatives of the following titles, reported the same without amendment, to-wit:

An act for the benefit of John Ripey.

An act for the punishment of slaves in certain cases.

An act to amend an act, entitled, an act to amend the several acts in relation to pedlers.

And the question being taken on ordering the said bills to be read a third time, it was decided in the negative.

So the said bills were disagreed to.

The Senate resumed the consideration of a bill for the benefit of the Eastern Lunatic Asylum at Lexington.

The question was then taken upon the adoption of the amendment proposed by Mr. Barlow, on yesterday, and it it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Buckner and Weis, were as follows, viz:

Those who voted in the affirmative, were-

Shelby Stone, Wiley S. Hay, John S. Barlow, James Sudduth, Samuel Howard, Robert Blain, W. H. Wadsworth, William Howell, Jesse W. Burton, C. J. Walton, John Q. A. King, Nathaniel W. Collins, D. K. Weis Theodore Kohlhass, William L. Conklin, George Wright-20. Charles Ripley, George T. Edwards, George W. Silvertooth, James D. Hardin,

Those who voted in the negative, were-

John P. Martin, William T. Haggin, Charles H. Allen, Daniel Matthewson, Sylvester Harris, James F. Buckner, Tucker Woodson-11. Overton P. Hogan, William C. Bullock, David Irvine, William C. Gillis,

Mr. Barlow moved further to amend said bill, by striking out after the word purpose, at the end of the fifth line, in the printed bill, down to, and including the word building, in the eighth line; also to strike out, from and including the word also, down to, and including the word institution, in the eleventh line.

And the question being taken on the adoption of said amendments,

it was decided in the affirmative.

Mr. Wadsworth moved further to amend said bill, by adding thereto

the following:

Provided, That no interest shall be allowed or paid on any debts or demands against said Asylum; and should the Treasurers of said Asylum in any case pay any such interest, the Auditor shall disallow it on settlement: And, provided, That no debt shall be incurred by any agent or officer of said Asylum, for or in behalf of this State:

And, provided, That should any agent or officer, of said Asylum, create any such debt over and above the sum or sums appropriated, such person shall be liable therefor to the creditor, but the State shall in no

event be liable for such debts.

§ 3. All sums herein specifically appropriated shall be faithfully applied to the purpose specified, and shall not be diverted therefrom under any pretence. The Auditor in making annual settlements with the Treasurer, shall take care that the provisions of this section shall be faithfully and strictly carried out; and any agent or officer of said Asylum who may divert an apporpriation for a specific object or any part thereof, to some other object, such agent or officer shall be personally liable to the extent of such diversion.

§ 4. Before any appropriation for repairs or improvement shall be drawn from the Treasury, a contract shall be made with some competent person, for the faithful performance of the specified repair or improvement, at a sum not exceeding the amount specifically appropriated, and bond with security taken for the performance of the contract,

and said contract and bond filed with the Auditor.

§ 5. The provisions of the third and fourth sections of this act shall apply to all the charitable institutions of this State, and all appropriations that may be made to said institutions.

§ 6. This act to take effect from its passage.

And the question being taken on ordering the said bill to be engrossed and read a third time, it was decided in the affirmative.

The yeas and nays being required thereon by the Constitution, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain, James F. Buckner, William C. Bullock, Jesse W. Burton, George T. Edwards, William C. Gillis, William T. Haggin,

Sylvester Harris, Wiley S. Hay, Overton P. Hogan, Samuel Howard. William Howell. David Irvine, Theodore Kohlhass,

Robert C. Palmer. Charles Ripley, W. H. Wadsworth, D. K. Weis. John Williams. Tucker Woodson-20.

Those who voted in the negative, were-

Charles H. Allen, James D. Hardin, John S. Barlow, John Q. A. King, Nathaniel W. Collins, John P. Martin, William L. Conklin, Daniel Matthewson, George Wright-13. T. W. W. DeCourcey,

Shelby Stone, James Sudduth. C. J. Walton,

Mr. Bullock, from the committee on Judiciary, to whom was referred a bill from the House of Representatives, entitled,

An act for the benefit of the iron masters of Muhlenburg county,

Reported the same with an amendment.

Which was concurred in.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. King moved a reconsideration of the vote rejecting a bill for the benefit of the Western Lunatic Asylum.

And the question being taken thereon, it was decided in the affirma-

Mr. Buckner moved to amend said bill, by adding thereto the fol-

lowing additional section:

That for the purpose of paying the several balances due for the current expenses, for the past year, there is hereby appropriated the sum of four thousand two hundred and ninety-six dollars and forty-two cents, which may be drawn by the Board of Managers at any time after the passage of this act.

And the question being taken thereon, it was decided in the affirma-

tive.

The yeas and nays being required thereon, by Messrs. Buckner and Blain, were as follows, viz:

Those who voted in the affirmative, were-

William T. Haggin, Daniel Matthewson, Charles H. Allen, Sylvester Harris, Robert C. Palmer, Robert Blain, Wiley S. Hay, Charles Ripley, James F. Buckner, Shelby Stone, Samuel Howard, Wm. C. Bullock, Nathaniel W. Collins, William Howell, C. J. Walton, John Williams, David Irvine, William L. Conklin, John Q. A. King Tucker Woodson, George T. Edwards, Theodore Kohlhass, George Wright-24. William C. Gilliss,

Those who voted in the negative, were-

John S. Barlow, John P. Martin, W. H. Wadsworth, Overton P. Hogan, James Sudduth, D. K. Weis—6.

Mr. Palmer moved to amend the bill by adding thereto the third section, which was stricken out yesterday, making the appropriation ninety-one cents less than was in said section.

And the question being taken thereon, it was decided in the nega-

The yeas and nays being required thereon, by Messrs. Palmer and King, were as follows, viz:

Those who voted in the affirmative, were-

James F. Buckner, Wiley S. Hay, Robert C. Palmer, Charles Ripley, Tucker Woodson, William T. Haggin, Sylvester Harris, Daniel Matthewson, Robert C. Palmer, Charles Ripley, Tucker Woodson, George Wright—14.

Those who voted in the negative, were-

Charles H. Allen, William C. Gilliss, Shelby Stone,
John S. Barlow, James D. Hardin, James Sudduth,

Robert Blain, Overton P. Hogan,
Nathaniel W. Collins, Samuel Howard,
William L. Conklin, William Howell,
T. W. W. DeCourcey, John P. Martin,

W. H. Wadsworth,
C. J. Walton,
D. K. Weis,
John Williams—18.

Mr. Wadsworth moved to amend said bill by adding thereto the following additional sections:

§ -. That it shall be the duty of the Treasurer of said asylum to report to the Auditor the original bills of all labor, materials, supplies, &c., paid for out of the funds of said asylum, and file the same with his annual settlement. The provisions of this section shall apply to all the charitable institutions of the State, and to the officers thereof.

§ -. The Treasurer shall report to the Auditor, and file in his office, the original bills of all labor, material, supplies, &c., heretofore paid for out of the funds of said asylum, as soon after the passage of this act as can be conveniently done.

Ordered. That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by the Constitution, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen,
Robert Blain,
James D. Hardin,
James F. Buckner,
William C. Bullock,
Nathaniel W. Collins,
William L. Conklin,
George T. Edwards,
William, C. Gilliss,
William, C. Gilliss,
William G. George Wright—24.

Those who voted in the negative, were—

John S. Barlow, Shelby Stone, C. J. Walton, T. W. W. DeCourcey, James Sudduth, D. K. Weis—8.

John P. Martin, W. H. Wadsworth,

Mr. Ripley, from the committee on the Judiciary, to whom were referred bills from the House of Representatives of the following titles, reported the same without amendment, viz:

An act for the benefit of William Allcock.

An act to reduce the width of High street, in Louisville.

An act to repeal the charter of the town of Florence, in Boone county.

An act to incorporate the town of Baltimore, in Hickman county. An act to incorporate the Covington Building and Loan Association. An act to incorporate the Western Insurance Company. An act to amend the charter of the town of Brooksville, in Bracken county.

An act to incorporate the Harrodsburg Springs Company.

An act for the benefit of the Masonic Fraternity of Louisville.

An act for the benefit of the trustees of the town of Boston, Whitley county.

An act to extend the corporate limits of the city of Louisville.

An act to incorporate Loraine Lodge, No. 4, of the I.O. O. F.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as

aforesaid.

Mr. Bullock, from the committee on the Judiciary, reported the following bills, viz;

A bill for the benefit of Thomas J. Helm, late Clerk of the County Court of Barren.

A bill for the benefit of Mary S. Bawn.

A bill to authorize Willis Peck and wife to sell two slaves.

A bill to incorporate Dew Drop Lodge, No. 342, of Grant county.

A bill to incorporate the Graefenburg and Louisville Turnpike Company, of Shelby county.

A bill prescribing the mode of proving the laws of any of the states

or territories.

A bill to extend the time for registering surveys founded on Kentucky land office warrants.

A bill for the benefit of the law department of the University of

Louisville.

A bill to incorporate the Kentucky River Coal, Salt and Lumber Company.

A bill to incorporate the Clay Fire and Marine Insurance Company,

of Newport.

A bill for the benefit of Francis E. Hayes.

A bill to incorporate the city of Paducah.

By Mr. Barlow, from the committee on Finance—A bill supplemental to an act to incorporate the Barren County Railroad Company.

Which were read the first time and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass and that the titles thereof be as

aforesaid.

Mr. Ripley, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled,

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An act to indemnify in certain cases the owners of property in Louisville that may be injured, taken away, or destroyed by mobs,

Reported the same with an amendment.

Which was concurred in.

Mr. Wadsworth moved further to amend said bill, by exempting the city of Maysville from the provisions of this act.

Which was decided in the negative.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Wadsworth and Ripley, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen. John S. Barlow, Robert Blain. James F. Buckner, Wiley S. Hay,

T. W. W. DeCourcey, Daniel Matthewson, George T. Edwards, Robert C. Palmer,
William C. Gillian Charles Ripley. George T. Euwa.

William C. Gilliss, Charles rapic,
C. J. Walton,
Weis. William C. Bullock, Overton P. Hogan, D. K. Weis, William L. Conklin, Theodore Kohlhass, George Wright-18.

Charles Ripley,

Those who voted in the negative, were-

Jesse W. Burton, William T. Haggin, David Irvine. James D. Hardin, John Q. A. King, Samuel Howard,

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James Sudduth,

William Howell, W. H. Wadsworth, John Williams, Tucker Woodson—11.

Resolved, That the title of said bill be amended to read:

An act to indemnify in certain cases the owners of property in Louisville, and in other cities in this commonwealth, that may be injured, taken away or destroyed by mobs.

A bill from the House of Representatives, entitled,

An act for the benefit of George Earley,

Was read the first time, and ordered to be read a second time. The constitutional provision as to the second and third readings of

said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by the Constitution, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, Robert Blain, James F. Buckner, William C. Bullock,

William C. Gilliss, Robert C. Palmer, William T. Haggin, Charles Ripley Shelby Stone, Wiley S. Hay,

Charles Ripley, W. H. Wadsworth,

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John Q. A. King, D. K. Weis, Jesse W. Burton, Nathaniel W. Collins, Theodore Kohlhass, John Williams, T. W. W. DeCourcey, John P. Martin, Tucker Woodson-21.

Those who voted in the negative, were-

William L. Conklin, Overton P. Hogan,

John S. Barlow, Samuel Howard, C. J. Walton, James Sudduth,

D. Howard Smith, George Wright-8.

On motion of Mr. Irvine, Messrs. Ripley, Blain and Conklin were added to committee on Enrollments.

On motion of Mr. Conklin leave of absence was granted to Mr. Edwards for the balance of the session.

Mr. Bullock, from the committee on the Judiciary, reported a bill in relation to certain promissory notes.

Which was read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all promissory notes payable to any person or order or to the order of any person, and expressed on their face to be negotiable and payable at any chartered bank of this commonwealth or at any branch of such bank, shall be and they are hereby put on the same footing when held by any bona fide assignee as notes discounted by any chartered bank of this State, and remedy may be had jointly and severally against the drawers and indorsers, and with like effect.

This act shall take effect from and after the first day of July, 1856.

Ordered, That said bill be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

The question was then taken on ordering said bill to be engrossed and read a third time, and it was decided in the negative.

The year and nays being required thereon by Messrs. Ripley and Allen, were as follows, viz:

Those who voted in the affirmative, were-

James F. Buckner, T. W. W. DeCourcey, Theodore Kohlhass, William T. Haggin, David Irvine,

Charles Ripley,

John Q. A. King, D. Howard Smith, Shelby Stone, W. H. Wadsworth-10.

Those who voted in the negative were—

Charles H. Allen, Wiley S. Hay, John S. Barlow, Jesse W. Burton, William L. Conklin, William C. Gillis, James D. Hardin,

Overton P. Hogan, William Howell, John P. Martin, Daniel Matthewson,

George W. Silvertooth, James Sudduth, Robert Blain, Samuel Howard, C. J. Walton, John Williams, Tucker Woodson, George Wright-19.

Mr. Bullock, from the same committee, reported a bill for the protection of minors.

Which was read the first time and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed with, and the same being engrossed,

The question was taken on the passage of said bill, and it was de-

cided in the affirmative.

The yeas and nays being required thereon by Messrs Stone and Blain, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain. Overton P. Hogan, D. Howard Smith. James F. Buckner, William Howell, James Sudduth. William C. Bullock. David Irvine, W. H. Wadsworth, Jesse W. Burton, John Q. A. King, D. K. Weis, T. W. W. DeCourcey, Theodore Kohlhass, John Williams, William T. Haggin, John P. Martin, Tucker Woodson-20. James D. Hardin. Charles Ripley,

Those who voted in the negative, were-

Charles H. Allen,
John S. Barlow,
William L. Conklin,
William C. Gilliss,
Wiley S. Hay,
Samuel Howard,
Daniel Matthewson,
Robert C. Palmer,
Shelby Stone,
C. J. Walton,
George Wright—11.

Resolved, That the title of said bill be as aforesaid.

Mr. Buckner, from the committee on Judiciary, to whom were referred bills from the House of Representatives of the following titles, to-wit:

An act to incorporate the People's Insurance Company.

An act to incorporate the Kentucky and Henderson Mutual Insurance Company.

Reported the same with an amendment to the last named bill.

Which was concurred in.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Irvine, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, to-wit:

An act incorporating Turnpike roads in Green county.

An act to incorporate Bland Ballard Lodge, No. 38, I. O. O. F.

An act to continue in force, an act to incorporate the town of Port Royal, in Henry county.

An act for the benefit of James W. Thurman, of Bullitt county, An act to incorporate the Catholic Benevolent Society of Covington. An act to incorporate Claysville Division, No. 346, Sons of Temperance.

An act to amend an act, entitled, an act, to amend an act, incorporating the town of Raywick.

An act to incorporate the Muldrough's Hill, Campbellsville, and Columbia Turnpike road Company.

An act for the benefit of the Jailer of Graves county.

An act for the benefit of Edward Morriss, of Calloway county.

An act incorporating Poage Lodge, No. 325, of Free and Accepted Masons.

An act to fix the time of holding the Quarterly Court in Barren county.

An act to incorporate Good Samaritan Lodge No. 374, of Free and Accepted Masons.

An act for the benefit of Barbett Rosenthall.

An act to incorporate Gordonsville Lodge, No. 217, of Free and Accepted Masons.

An act for punishing negro stealing.

An act to amend an act, entitled, an act to establish the town of Frederick, in Warren county, approved February 6, 1839.

And enrolled bills which originated in the Senate, of the following titles, viz:

An act to incorporate the Hickman and Graves County Plank Road Company.

An act for the benefit of W. T. E. Furman.

An act for the benefit of Braxton Small.

An act to amend the Savings Institution at Harrodsburg.

An act to incorporate the Ashland Female Seminary.

An act to create an additional civil district in Hickman county.

An act to amend the charter of the Danville, Dix River and Lancaster Turnpike road Company.

An act to authorize the County Court of Fulton county to change the State road.

An act to amend an act, entitled, an act to incorporate the Kentucky Union Railway Company.

An act to prevent the destruction of fish in the waters of the North Fork of Licking river, within Mason and Bracken counties, and North Elkhorn, in Scott county.

An act for the benefit of George Hampton, of Morgan county.

An act for the benefit of the Tuckahoe Ridge Turnpike Road Company, Mason county.

An act to charter the Tradewater Coal and Iron Mining Company.

An act to incorporate the Board of Trustees of the Kentucky Female College.

An act to repeal an act, entitled, an act to regulate the duties of the

Christian County Court in laying the county levy.

An act for the benefit of John W. Haws, late Sheriff of Lawrence county.

An act for the benefit of Benjamin Norman, of Boone county.

An act for the benefit of Wm Mayneer, sheriff of Morgan county.

An act for the benefit of Charles F. Jenkins, late sheriff of Caldwell and Lyon counties.

An act to incorporate the President and Board of Examination of Eddyville Female College.

An act to amend chapter 86, articles 3 and 4 of the Revised Statutes, title, "Land and Slaves of Infants."

An act to incorporate the Deposit Bank of Carlisle.

An act to amend the act incorporating the Lexington and Winchester Turnpike road Company.

An act in relation to the Bourbon Academy.

An act for the benefit of the Columbus Masonic Seminary.

An act to provide for the prosecution of the Geological, Mineralogical, Chemical, Tophographical and Agricultural survey of the State.

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Irvine reported that the committee had per-

formed that duty.

A message was received from the House of Representatives, announcing their disagreement to bills from the Senate of the following titles, viz:

An act to amend an act incorporating the city of Hickman.

An act for the benefit of Wm. M. Smith, of Rockcastle county.

That they had concurred in the amendment proposed by the Senate, to a bill from that House, entitled,

An act to amend the 42d chapter of the Revised Statutes.

That they had passed bills from the Senate of the following titles, viz:

An act to incorporate the Prestonsburg Coal and Iron Company.

An act to provide for the removal of obstructions of navigation from Licking river.

An act to incorporate Richmond Lodge, No. 25, of Free and Accepted Masons.

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An act to incorporate the Richmond Royal Arch Chapter, No. 16.

An act to amend the 5th section of article 7, chapter 93, Revised Statutes.

An act for the benefit of the town of Cynthiana.

An act for the benefit of the clerk of the Hickman circuit court.

An act to change the place of voting in the 3d district, in Simpson county.

An act authorizing the trustees to sell and appropriate the Seminary lands of Laurel county.

An act for the benefit of the sheriff of Washington county.

That they had passed bills of the following titles: viz:

An act concerning fraudulent and insolvent corporations.

An act supplemental to the act in relation to Billiard Tables, Bowling Saloons, and Jenny Lind tables.

Bills from the House of Representatives of the following titles, were reported from the several committees to whom they were referred viz:

By Mr. Weis, from the committee on Circuit Courts-

An act for the benefit of the clerk of the Marion Circuit Court.

By Mr. DeCourcey, from the committee on County Courts-

An act to change the time of holding the Quarterly Courts of Green county.

By same-

An act for the benefit of the Edmonson County Court.

By same-

An act to reduce the price of vacant lands in the counties of Johnson and Floyd.

By same-

An act to change the time of holding the terms of the Pulaski Quarterly Courts.

By same—

An act for the benefit of the town of Bradfordsville.

By same-

An act for the benefit of the heirs of Benoni Hotchkiss and A. F. Gowdy.

By same-

An act to authorize the County Court of Floyd county to establish a ferry on Big Sandy.

By same—

An act to authorize the County Judge to extend the boundary of the election precincts in Ohio county.

By same-

An act to change the time of holding the Whitley Quarterly Courts. By same—

An act to change the time of holding the Nicholas County Court.

By same-

An act to change the time of holding the Bracken County Court.

By same-

An act to change the time of holding the May term of the County Court of Gallatin county.

By same-

An act to authorize the county courts of Powell, Owsley, Morgan, Breathitt, Perry, and Letcher counties to construct a road from Stanton, in Powell county, to the Virginia State line.

By same-

An act to change the August term of the Bullitt county court.

Ordered, That said bills be read a third time.

The constitutional provision as to the third readings of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. DeCourcey, from the committee on County Courts—A bill creating additional justices' district and voting precinct in Morgan county.

By same—A bill to increase the powers of the Marshal of Owings-ville.

By Mr. Blain, from the committee on Propositions and Grievances—A bill to establish an additional election and civil district in Christian county.

Which were read the first time and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bills being dispensed with, and the same being engrossed.

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. DeCourcey, from the committee on County Courts, to whom were referred bills from the House of Representatives, of the following titles, to-wit:

An act to authorize the Judge of the Breathitt County Court to establish an additional voting precinct and place of voting in said county.

An act empowering the Judge of Hardin county to change the places of voting in the precincts of said county.

Reported the same without amendment.

On motion, said bills were laid upon the table.

Mr. DeCourcey, from the same committee, to whom was referred a bill from the House of Representatives, entitled,

An act to regulate the duties of county and commonwealth's at-

torneys,

Reported the same without amendment.

On motion of Mr. Ripley, said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was taken on the passage of said bill, and it was de-

cided in the affirmative.

The yeas and nays being required thereon, by Messrs. Allen and Hardin, were as follows, viz:

Those who voted in the affirmative, were-

John P. Martin, William T. Haggin, Charles H. Allen, Robert C. Palmer, Wiley S. Hay, John S. Barlow, Charles Ripley, Overton P. Hogan, James F. Buckner, George W. Silvertooth, Samuel Howard, William C. Bullock, Shelby Stone, W. H. Wadsworth—20. William Howell, Jesse W. Burton, T. W. W. DeCourcey, John Q. A. King, Theodore Kohlhass, William C. Gilliss,

Those who voted in the negative, were-

Robert Blain, David Irvine, C. J. Walton,
Nathaniel W. Collins,
William L. Conklin,
James D. Hardin,
David Irvine,
D. K. Weis,
Tucker Woodson,
George Wright—12.

Resolved, That the title of said bill be as aforesaid.

Mr. DeCourcey moved the following resolution, to-wit:

Resolved, That for the ballance of this session no Senator be allowed to speak, on any one subject, more than ten minutes.

Which was adopted.

A message was received from the House of Representatives, announcing their disagreement to bills from the Senate of the following titles, viz:

An act in relation to slaves.

An act to amend Revised Statutes, chapter 102, title "Treasury Warrant Claims."

That they had concurred in an amendment preposed by the Senate to a resolution from the House of Representatives in relation to the alledged claims of the United States to Wolf Island.

That they had passed bills from the Senate of the following titles,

viz:
An act for the benefit of Amanda M. Kress.

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An act to amend section 621, of the Civil Code of Pratice.

An act to establish the Deposit Bank of Mount Sterling, Kentucky.

An act te repeal section 340, of the Criminal Code, and substituting other provisions in lieu thereof.

With an amendment to the last named bill.

A message was received from the House of Representatives, announcing that they had passed bills and adopted a resolution of the following titles, viz:

An act authorizing the Commissioners of the Sinking Fund to loan any surplus moneys they may have on hand.

An act to incorporate the State Mining, Manufacturing, and Building Company.

An act in relation to the McCracken County Court.

An act to amend the charter of the Lexington and Danville Railroad Company.

An act for the benefit of the Sheriff of Fayette county.

With an amendment to the last named bill.

Resolutions in relation to the removal of obstructions in Cumberland river, in Pulaski county.

That they had passed a bill entitled,

An act to change the August term of the Bullitt County Court.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they were referred, without amendment, viz:

By Mr. Hogan, from the committee on Religion-

An act to incorporate Christ Church, Louisville.

An act incorporate Saint Paul's Church, Louisville.

An act to incorporate the Second Presbyterian Church, at Covington.

An act to incorporate the trustees of the Pleasant Grove Presbyterian Church, in Washington county.

An act for the benefit of the Methodist Episcopal Church South, at Hartford.

An act for the benefit of Vincent Taylor, of Cumberland county.

By Mr. Kohlhass, from the committee on Internal Improvement-

An act to authorize the Whitley County Court to change the State Road from Williamsburg to the State Line.

An act to incorporate the Catlettsburg and Louisa Turnpike Road Company.

An act to amend the charter of the Elizabethtown and Bell's Tayern Turnpike road Company.

An act declaring Rockcastle creek, in Johnson county, navigable.

An act for the benefit of the Louisville and Cane Run Plank Road
Company.

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An act for the benefit of William Watson.

An act to amend the charter of the Twelve Mile Turnpike Company.

An act to amend the charter of the Louisville and Newport branch Railroad Company.

By Mr. Barlow, from the committee on Finance-

An act for the benefit of certain clerks of this Commonwealth.

An act for the benefit of James M. Speer, late sheriff of Oldham county.

An act for the benefit of the administrators of John Gilbert deceased.

An act for the benefit of Daniel G. Colyer, late sheriff of Rockcastle county.

An act for the benefit of certain sheriffs of this Commonwealth.

An act for the benefit of James H. Holladay and John G. Parks, adm'rs of Lewis H. Arnold, deceased.

An act for the benefit of Thomas B. Harrison, late Sheriff of Logan county.

An act for the benefit of William B. Johnson, late sheriff of Laurel county.

An act for the benefit of Thomas A. Ireland, Sheriff of Owen county. An act to repeal an act authorizing Nathan May, of Daviess county, to peddle without license.

An act for the benefit of W. B. A. Baker, late Sheriff of Mason county.

An act to reduce the price of vacant lands in Cumberland county.

An act for the benefit of James M. Smith and John Wesley Shelley. An act legalizing the locality of the first toll gate from Danville to

Crab Orchard.

With an amendment to the last named bill.

Which was concurred in.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had concurred in the amendments of the Senate to bills from that House of the following titles, viz:

An act to amend the charter of the Covington and Lavington Re-

An act to amend the charter of the Covington and Lexington Railroad Company.

That they had passed bills from the Senate of the following titles, viz:

An act for the benefit of James G. and Archibald G. King, executors of Heinrich C. L. Schaper, deceased.

An act to incorporate the Logan county Agricultural and Mechanical Association.

An act to revive and amend an act, entitled, an act to incorporate the Salt river Turnpike road Company.

An act to amend an act incorporating the town of Sardis, in Mason county.

An act to authorize the town of Morgantown, in Butler county, to elect a police judge and town marshal.

An act for the benefit of the Treasurer of the State of Connecticut. An act for the benefit of J. B. Howe and S. P. Williams.

An act to incorporate the Kentucky Female Institute.

An act to incorporate the Paducah and Nashville Telegraph Company.

An act to incorporate Robert Burns Lodge, No. 163, of Ancient York Masons.

An act to repeal an act, approved March 7, 1854, to regulate the appointment of Superintendant of the Western Lunatic Asylum.

Mr. Kohlhass, from the committee on Internal Improvements, to whom were referred bills from the House of Representatives, of the following titles, viz:

An act to regulate turnpike tolls.

An act to incorporate the Hamilton and Florence Turnpike Road Company.

And the question being taken on ordering said bills to be read a third time, it was decided in the negative.

So the said bills was disagreed to.

Mr. Kohlhass, from the same committee, reported a bill authorizing the Board of Internal Improvement to appoint members of the board for Shelby county.

Mr. Barlow, from the committee on Finance, reported a bill for the benefit of Samuel Salyers.

Which were read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Kohlhass, from the committee on Internal Improvement, to whom

was referred a bill to amend the charter of the Lexington and Danville Railroad Company.

Reported the same with an amendment.

Which was concurred in.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as afore-

said.

Mr. Barlow, from the committee on Finance, to whom was referred a bill from the House of Representatives, entitled,

An act to provide for the removal of the remains of Gen. George Rogers Clarke to the Frankfort Cemetery, and the erection of a monument to his memory,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was taken on the passage of said bill, and it was de-

cided in the affirmative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were-

D. Howard Smith, James D. Hardin, John S. Barlow, Wiley S. Hay, Shelby Stone, James F. Buckner, James Sudduth, Overton P. Hogan, Wm. C. Bullock, W. H. Wadsworth, William Howell, Jesse W. Burton, C. J. Walton, David Irvine, Nathaniel W. Collins, Theodore Kohlhass, D. K. Weis, William L. Conklin, George W. Silvertooth, Tucker Woodson-22. William C. Gilliss, William T. Haggin,

Those who voted in the negative, were-

George Wright-1.

Resolved, That the title of said bill be as aforesaid.

Mr. Barlow, from the committee on Finance, to whom was referred a bill from the House of Representatives, entitled,

An act for the benefit of David Bailey, Sheriff of Harlan county, Reported the same with an amendment.

Which was concurred in.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

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Resolved. That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

EXECUTIVE DEPARTMENT, Frankfort, March 7. 1856.

Gentlemen of the Senate:

An act to amend the 21st section of an act, entitled, an act to incorporate the Elizabethtown Savings Institution, and for other purposes, and to change the name of Savings Institution of Harrodsburg, to the Bank of Harrodsburg, has been presented to me for my approval and signature.

It is an act supplemental to act, establishing the Bank of Harrodsburg, and as the latter act was returned by me to the Senate, with my objections, and defeated upon reconsideration, I have declined to sign this act, as it can have no effect, and is unnecessary and useless, and I herewith return it.

C. S. MOREHEAD.

The bill referred to in said message reads as follows, viz:

An act to amend the 21st section of an act, entitled, an act to incorporate the Elizabthtown Savings Institution, and for other purposes, and to change the name of the Savings Institution of Harrodsburg, to the Bank of Harrodsburg.

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the title of an act passed at the present session, entitled, an act to establish the Bank of Harrodsburg, be so amended as to read, an act to amend the 21st section of an act, entitled, an act to incorporate the Elizabethtown Savings Institution, and for other purposes, and to change the name of the Savings Institution of Harrodsburg, to the Bank of Harrodsburg.

The question was then taken, shall the bill pass, the veto of the Governor to the contrary notwithstanding, and it was decided in the negative.

The year and nays being required thereon, by the Constitution were as follows, viz:

In the affirmative-none.

Those who voted in the negative, were-

Charles H. Allen, John S. Barlow, Robert Blain. James F. Buckner, Overton P. Hogan, William C. Bullock, Jesse W. Burton, Nathaniel W. Collins, David Irvine, William L. Conklin, John Q. A. King,

James D. Hardin, Sylvester Harris, Wiley S. Hay, Samuel Howard.

Robert C. Palmer, Charles Ripley, Shelby Stone, James Sudduth, W. H. Wadsworth, William Howell, C. J. Walton, D. K. Weis, John Williams, George T. Edwards, Theodore Kohlhass, Tucker Woodson, William C. Gilliss, John P. Martin, George Wright—32. William T. Haggin, Daniel Matthewson,

The Senate took up for consideration a resolution from the House of Representatives, in relation to the erection of a Public Mausoleum in the Frankfort cemetery.

On motion of Mr. Walton, said resolution was laid upon the table. A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to a bill from that House, entitled,

An act to amend an act, entitled, an act to amend and reduce into one the several acts relating to the town of Princeton.

That they had concurred in the 1st, and disagreed to the 2d and 3d amendments proposed by the Senate to a bill from that House, entitled,

An act to indemnify in certain cases the owners of property in Louisville that may be injured, taken away, or destroyed by mobs,

That they had concurred in the amendments proposed by the Senate to bills from that House of the following titles, viz:

An act to amend the law in relation to attachments in civil cases.

An act to regulate the duties of County and Commonwealth Attorneys.

An act to incorporate the Kentucky and Henderson Mutual Insurance Company.

An act for the benefit of the iron masters of Muhlenburg county,

That they had disagreed to a bill from the Senate, entitled,

An act for the protection of minors.

That they had passed bills from the Senate of the following titles, viz:

An act to incorporate the Bell Mine Coal Company, of Crittenden county.

An act to amend and reduce into one the several acts incorporating the town of Dover, Mason county.

An act to incorporate the South Kentucky Mining and Manufacturing Company.

An act changing the name of the town of Hardinsville, in Shelby county, to that of Graefenburg.

An act for the benefit of Mary S. Bacon.

An act for the benefit of Thomas J. Helm, late Clerk of the County Court of Barren.

An act to authorize Willis Peck and wife to sell two slaves.

An act to incorporate Dew Drop Lodge, Sons of Temperance, No. 342, of Grant county,

An act to incorporate the Graefenburg and Louisville Turnpike Road Company, of Shelby county.

An act prescribing the mode of proving the laws of any of the states or territories.

An act to extend the time of registering surveys founded on Kentucky land office warrants.

An act supplemental to an act to incorporate the Barren County Railroad Company.

An act for the benefit of the law department of the University of

An act to incorporate the Kentucky River Coal, Salt, and Lumber Company.

An act to incorporate the Clay Fire and Marine Insurance Company, of Newport.

An act for the benefit of Francis E. Hay.

An act to incorporate the city of Paducah.

An act creating an additional justices' district and voting precinct in Morgan county.

An act to increase the powers of the marshal of Owingsville.

An act to establish an additional election and civil district in Christian county.

Au act to incorporate the Ashland Life Insurance Company.

With an amendment to the last named bill.

That they had passed a bill entitled,

An act for the benefit of the trustees of the town of Prestonsburg. And then the Senate adjourned.

SATURDAY, MARCH 8, 1856.

Mr. Woodson, from the committee on the Penitentiary, reported a bill for the benefit of the keeper of the Kentucky Penitentiary.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed, and the same being engrossed,

The question was taken on the passage of said bill, and it was decided by the Speaker that said bill had passed.

The yeas and nays being required thereon, by Messrs. Sudduth and Blain, were as follows, viz:

Those who voted in the affirmative, were—

Robert Blain,	Wiley S. Hay,	Theodore Kohlhass,
William C. Bullock,	Overton P. Hogan,	John P. Martin,
Nathaniel W. Collins,	Samuel Howard,	D. K. Weis,
T. W. W. DeCourcey,	William Howell,	John Williams,
William C. Gilliss,	David Irvine,	Tucker Woodson,
William T. Haggin,	John Q. A. King,	George Wright-18.

Those	who	voted	in	the	negative,	were-

Charles H. Allen,	Daniel Matthewson,	James Sudduth,
John S. Barlow,	George W. Silvertooth,	W. H. Wadsworth,
James F. Buckner,	D. Howard Smith,	C. J. Walton-10.
James D. Hardin.	ALCOHOL - AND AND A COLUMN CO.	STATISTICS OF BUILDING

From this decision of the chair Mr. Sudduth appealed, on the ground that it required a vote of the majority of all the Senators elect to pass said bill.

And the question being put, shall the decision of the chair stand as the judgment of the House? it was decided in the negative,

The yeas and nays being required thereon, by Messrs. Sudduth and Hogan, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain,	David Irvine,	W. H. Wadsworth,
T. W. W. DeCourcey,	Charles Ripley,	Tucker Woodson-6.

Those who voted in the negative, were-

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So the bill was, in the opinion of the Senate, rejected.

A message was received from the House of Representatives announcing that they had passed bills from the Senate of the following titles, viz:

An act authorizing the Surveyor's books of Wayne county to be transcribed.

An act authorizing the County Court of Shelby to sell the Poorhouse and grounds of said county.

An act for the benefit of the trustees of the town of Russellville.

An act to increase the number of Examiners in Morgan county.

olded by the Speaker that eald bill had passed

An act to amend an act to establish a Sinking Fund for Bourbon county, and to provide for the appointment of commissioners thereof.

An act to authorize the County Court of Logan to sell or otherwise dispose of the old clerk's office.

An act to reduce into one the several acts in relation to the town of Harrodsburg.

An act to amend the charter of the Lexington and Big Sandy Rail-road Company.

With amendments to the four last named bills.

That they had passed bills of the following titles, viz:

An act changing the times of holding the county courts in Montgomery county.

An act to change the time of holding the Court of Claims in Montgomery county.

An act changing the times of holding the County Courts in Powell county.

An act to change the time of holding the Breathitt Quarterly Courts.

An act to change the time of holding the County Courts in Henderson.

An act to give a term to the Rockcastle County Court.

An act to to change the time of holding the Quarterly Courts of Butler county.

An act to change the time of holding the Quarterly Courts in Meade county.

An act for the benefit of the trustees of the Methodist Episcopal Church South, at Maysville.

An act to increase the jurisdiction of justices of the peace in Jefferson county, and the city of Louisville.

An act for the benefit of the county of Franklin.

An act to give the Henderson County Court power to appoint processioners.

An act to change the time of holding the Washington Quarterly Court and County Court.

. An act to regulate the office of the Kenton County Court clerk.

An act for the benefit of Nicholas Sandifer.

An act to change the boundary of Perry county.

An act for the benefit of Nicholas Combs, late sheriff of Perry county.

An act to provide for paying the debts due to the contractors of the Western Lunatic Asylum.

Mr. Wadsworth, from the committee on Education, to whom was re-

ferred a bill to establish the Kentucky Institution for the education of idiotic and imbecile children, reported the same with an amendment.

Which was concurred in.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That there shall be, and is hereby, established a body corporate to be styled "The Trustees of Kentucky Institution for the education of Idiotic and Imbecile children."

§ 2. That the following persons be, and they are hereby appointed Trustees of said Institution, being fiteen, which shall constitute the number of said board, viz: J. Warren Grigsby, of Lincoln, Beriah Magofflin and William Thompson, of Mercer, John C. Breckinridge and William S. Chipley, of Fayette, Thomas E. West, of Jessamine, James Barbour, of Mason, James Harlan, of Franklin, Ormond Beaty, John R. Ford, Samuel Ayres, J. T. Boyle, J. A. Jacobs, W. A. Downton, Jos. Smith, of Boyle county, and D. Howard Smith, of Scott county.

§ 3. That one-fifth of said Board of Trustees shall go out of office every two years, by lot, from the date of this act—which shall be determined at its first meeting, and that the Governor shall fill the vacancies thus created, by appointments made by and with the consent of the Senate, to continue in office for three years—the vacancies to be re-filled, as they shall thereafter occur, by the Governor. The lot shall be cast, if necessary, until not more than two of the resident members shall go out of office the same year.

§ 4. The seven members of said board shall reside in the vicinity of the location of said Institution, five of which shall constitute a quorum to do business, who shall elect a Chairman to continue in office for one

§ 5. That the said Board of Trustees shall hold their regular meetings in each year, at said Institution, after it shall be organized, and until then, at any convenient place in the vicinity of its location—the days of said regular meetings to be fixed by the board. Intervening meetings may be held by the call of the chairman; but their acts shall be subject to the confirmation of the next regular meeting of the board.

§ 6. That the members of said Board of Trustees shall take the following oath, to be administered by any judicial officer of this Commonwealth, viz: "I do solemnly affirm that I will to the best of my ability, perform all the duties made incumbent on me as Trustee of Kentucky Institution for the education of idiotic and imbecile children, so help me God"—which shall be certified to the Secretary.

§ 7. That in case of the death or resignation of any of the members of said Board of Trustees, the board shall fill the vacancy, for the balance of his or their terms.

§ 8. The Board of Trustees shall appoint a Secretary and Treasurer, and if necessary an Auditor. All drafts on the Treasurer shall be paid alone on the warrant of the Secretary, who shall compare and balance his books annually with those of the Treasurer, and certify the result of the comparison to the board.

§ 9. The board shall appoint an executive committee, who shall

superintend the interests of the institution in the intervals of their meetings.

§ 10. The board of Trustees shall appoint a Superintendent, and such other teachers and assistant officers as may be deemed necessary,

and with such salaries as shall be reasonable and proper.

§ 11. That the said board of Trustees shall be, and they are hereby constituted a body corporate, by the title aforesaid, with all the rights, responsibilities, and privileges legally incident to corporations; and shall be capable of purchasing, receiving, and holding property, real, personal, and mixed; of selling, transferring, and conveying the same in a legal manner; of sueing and being sued, of pleading and being impleaded in all courts and places whatever having judicial authority. They shall also have a common seal, and keep a record or minute of all their proceedings and business.

§ 12. The board of Trustees shall make a biennial report to each branch of the General Assembly, to be signed by their Chairman and Secretary, within ten days after its meeting, accompanied by the report of the Treasurer, and a catalogue of the pupils admitted into the Institution, with their ages, places of residence, bodily and mental condition, and what, if any, relationship existed between their parents,

and such other statistical matter as they may deem useful.

§ 13. There shall be received into said Institution as many of the indigent, idiotic, and imbecile children of this Commonwealth as the funds hereby appropriated will support and educate, together with such other similar children whose friends or parents may be able to sustain them, as may apply. The board shall regulate the terms of admission for pay pupils—requiring payment in whole or in part, to

suit the condition of the parents or applicant.

§ 14. The boarding department shall be placed under the direction of the Superintendent, with the aid of a steward—if one shall be deemed necessary by the board—who shall purchase supplies, and render a monthly account, to be audited by the Secretary, (or Auditor if one shall be appointed) and paid on the warrant of the Secretary. The monthly accounts of the Superintendent shall be reported with the biennial report of the board.

§ 15. Neither the real or personal estate held by the Institution shall

be subject to state, county, or town tax.

§ 16. That said Institution is hereby established in the town of Danville, in the county of Boyle, and the sum of seven thousand dollars per annum, for two years, is hereby appropriated to carry into effect and operation the Institution hereby created, to be drawn upon the warrant of its Secretary, quarterly in advance, so soon as it is organized.

§ 17. The board of Trustees shall not, in any event, exceed in their expenditures the sum appropriated in the foregoing section of this act

of incorporation.

Said amendment reads as follows, viz:

§ 18. That from and after the 1st day of April, 1858, the allowance now made by law to idiots shall cease, as to all under fifteen years of age; and they shall receive public aid only by being placed in the institution hereby created.

§ 19. That the sum which may remain in the Treasury of the State out of the amount now annually expended for the support of idiots under the operation of the foregoing section of this act, shall be paid over to the trustees of said institution, as it annually accrues, as an additional appropriation for the purposes contemplated by this act.

§ 20. That for the purpose of lessening the expense incident to the establishing of the institution hereby created, the sum now allowed by law for the support of idiots is hereby reduced ten dollars on each

idiot in the State.

§ 21. That the first meeting of the board of trustees appointed in the second section of this act shall be held on the first Wednesday in April next, in the town where said institution is located. § 22. This act shall take effect from its passage.

Mr. Walton moved to lay said bill and amendment on the table, And the question being taken thereon, it was decided in the affirmative. At we before more no reason to wate even not might wintered

The yeas and nays being required thereon, by Messrs. Weis and King, were as follows, viz:

Those who voted in the affirmative, were—

Charles H. Allen, Overton P. Hogan, George W. Silvertooth, John S. Barlow, Samuel Howard, Shelby Stone, James F. Buckner, William Howell, C. J. Walton, Nathaniel W. Collins, John Q. A. King, John Williams, James D. Hardin, John P. Martin, George Wright-17. Wiley S. Hay, Daniel Matthewson,

Those who voted in the negative, were-

William T. Haggin, D. Howard Smith, lock, David Irvine, James Sudduth, Robert Blain, William C. Bullock, David Irvine, James Sudduch, W. H. Wadsworth, D. K. Weis—13. · William L. Conklin, Robert C. Palmer, T. W. W. DeCourcey,

Mr. Irvine, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act directing the boundary line between the counties of Butler and Ohio, to be run and re-marked.

An act for the benefit of the administrator of John M. Dyer, dewarrant of its Secretary, emirited in advance ceased.

An act for the benefit of the mechanics of McLean county. An act for the benefit of the County Court of Montgomery. An act to incorporate Schiller Lodge, No. 64, I. O. O. F. An act to incorporate Rusling Lodge, No. 112, I. O. O. F.

An act to authorize the County Court of Montgomery county to subscribe stock to turnpike roads in that county, and to levy a tax to pay such subscriptions med ve vice bid subscriptions med by signal subscriptions between verset coested An act to incorporate Ion Lodge, No. 301, of Free and Accepted Masons.

An act to authorize the President of the Board of Internal Improvement to purchase a certain lot of land at Lock No. 3, on Green river.

An act to abolish a ferry on the Ohio river, in Meade county.

An act to increase the powers of the Marshal of the town of Mount Sterling.

An act to provide for the service of process against steamboats.

An act to incorporate the Falmouth and Claysville Turnpike Road Company.

An act to incorporate the Falmouth and Milford Turnpike Road Company.

An act extending the mechanics' lien law to the town of Lebanon and Marion county.

An act to incorporate Taylor Lodge, No. 34, I. O. O. F.

An act to incorporate the Section Dock Company at Smithland.

An act to incorporate Bagdad and Harrisonville Turnpike Road Company.

An act to amend an act authorizing the Oakland Plank Road Company to construct a branch road.

An act to incorporate Ringgold Lodge, No. 27, I. O. O. F.

An act to amend chapter 103 of the Revised Statutes, title, "Turn-pike and Plank Roads."

An act to incorporate the Deposit Bank of Springfield.

And enrolled bills which originated in the Senate, of the following titles, viz:

An act for the benefit of Aaron Johnson, sheriff of Laurel county.

An act to change the time of holding Harrison County Court.

An act to amend the charter of the city of Louisville.

An act to amend the charter incorporating the Parochial School of the Hanging Fork Presbyterian Church.

An act in relation to the McCracken county court.

An act to amend section 621 of the Civil Code of Practice.

An act for the benefit of the sheriff of Washington county.

An act to change the place of voting in the 3d district, in Simpson county.

An act to incorporate the Nashville and North-western Railroad Company.

An act to incorporate the Nashville and Paducah Telegraph Company.

An act to amend the 5th section of article 7, chapter 93, Revised Statutes.

An act for the benefit of the clerk of the Hickman circuit court.

An act to incorporate the Richmond Royal Arch Chapter, No. 16.
An act to incorporate Richmond Lodge, No. 25, of Free and Accepted Masons.

An act to incorporate the Agricultural Deposit Bank of Lexington. An act to incorporate the Kentucky Christian Education Society.

An act for the benefit of Ashland common school district in Greenup county.

An act to establish the Academical Institute of Louisville.

An act to provide for any deficiency in the Treasury that may occur during the year 1856.

An act to incorporate the Daniel Boone Military Institute.

An act to incorporate and endow the Western Kentucky College.

An act to establish a uniform weight of coal.

An act to incorporate the Logan county Agricultural and Mechanical Association.

An act for the benefit of M. T. Shelburne, of Ballard county.

An act to incorporate Benevolent Lodge, No. 58, of Ancient York Masons.

An act to amend an act, entitled, an act to incorporate the Central Kentucky Agricultural and Mechanical Association.

An act supplemental to an act, entitled, an act to incorporate the Rough Creek Navigation and Manufacturing Company.

An act to incorporate Carroll Lodge, No. 45, I. O. O. F.

An act for the benefit of those who may become purchasers of the Maysville and Lexington Railroad.

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Irvine reported that the committee had per-

formed that duty.

Mr. Wadsworth, from the committee on Education, to whom was referred bills from the House of Representatives, of the following titles, reported the same without amendment, viz:

An act to amend the common school laws.

An act to cause writings to be made in the English language.

Ordered, That said bills be read a third time.

The constitutional provision as to the third readings of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration a bill to repeal all laws authorizing a license to issue to brokers:

Which was read the first time, as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all laws authorizing a license to issue to brokers be and the same are hereby repealed.

§ 2. That this act shall take effect from and after its passage.

Ordered, That said bill be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Ripley moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ripley and King, were as follows, viz:

Those who voted in the affirmative, were-

John S. Barlow, Robert Blain, James F. Buckner, William C. Bullock, Nathaniel Collins, William T. Haggin, James D. Hardin, Wiley S. Hay, Overton P. Hogan, o voted in the affirma Samuel Howard, William Howell, David Irvine. John Q. A. King, Theodore Kohlhass, John P. Martin, Daniel Matthewson, Charles Ripley,

George W. Silvertooth,
D. Howard Smith,
Shelby Stone,
W. H. Wadsworth,
C. J. Walton,
D. K. Weis,
Tucker Woodson,
George Wright—25.

Those who voted in the negative, were—

Jesse W. Burton, James Sudduth, John Williams—4.

William C. Gilliss.

Mr. Sudduth, from the committee on Military Affairs, to whom was referred a bill from the House of Representatives, entitled,

An act for the benefit of Col. R. T. P. Allen, late superintendent of the Kentucky Military Institute,

Reported the same without amendment.

Mr. Allen moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Woodson and Irvine, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, John S. Barlow, Robert Blain, Jesse W. Burton, William L. Conklin, Wiley S. Hay,
Overton P. Hogan,
Samuel Howard,
William Howell,
Daniel Matthewson,

Shelby Stone, James Sudduth, W. H. Wadsworth, C. J. Walton, John Williams, William T. Haggin, Charles Ripley, George Wright-20. George W. Silvertooth, James D. Hardin,

Those who voted in the negative, were-

William C. Bullock, Theodore Kohlhass, D. Howard Smith, John P. Martin, D. K. Weis, William C. Gilliss, Tucker Woodson—10. Robert C. Palmer, David Irvine, John Q. A. King, The great results and lade

Mr. Matthewson, from the committee on Agriculture and Manufactures, to whom were referred bills from the House of Representatives reported the same without amendment, viz:

An act to incorporate the Kenton County Agricultural Society.

An act to incorporate the Fuel Coal Company.

An act to incorporate the Nashville and Rowena Coal Company.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Matthewson, from the same committee, to whom was referred a bill to incorporate the Kentucky State Agricultural Society, and to give encouragement to all the arts and sciences connected therewith reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Palmer, from the committee on the Sinking Fund, reported a bill authorizing the Board of Internal Improvement to appoint members of the board for Shelby county.

Which was read the first time, and ordered to be read a second time. The constitutional provision as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass and that the title thereof be as aforesaid.

Mr. Sudduth, from the committee on the Revised Statutes, reported a bill in relation to the office of Attorney General.

Which was read the first time, as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky: That hereafter the salary of the Attorney General of Kentucky shall be five hundred dollars, and the fees now allowed him, to be drawn and paid at the same time and in the same manner as prescribed § 2. This act shall take effect from its passage. by existing laws.

Ordered, That said bill be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John S. Barlow, Overton P. Hogan, George W. Silvertooth, D. Howard Smith, David Irvine, Shelby Stone, Nathaniel W. Collins, Theodore Kohlhass, W. H. Wadsworth, William L. Conklin, Daniel Matthewson, William C. Gillis, Robert C. Palmer, William T. Haggin, Charles Ripley, Tucker Woodson—25. Wiley S. Hay, was a see and a see a

James F. Buckner, David Irvine, Shelby Stone, William C. Bullock, John Q. A. King, James Sudduth,

Those who voted in the negative were-

Charles H. Allen, John P. Martin, George Wright-5. Samuel Howard, D. K. Weis,

Resolved, That the title of said bill be as aforesaid.

Mr. Sudduth, from the committee on Revised Statutes, moved the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the acts passed at the present session, amending, changing or repealing the Revised Statutes and Codes of Practice, and all acts of a general nature, be printed under the superintendence of the Attorney General, whose duty it shall be to prepare a full and accurate index of the same, including the alterations, changes and amendments of the Revised Statutes and Codes of Practice. He shall make the necessary side notes referring to the title, chapter and page of the Revised Statutes or the Codes of Practice altered, changed, amended or repealed. He shall receive for his services such compensation as the Governor may deem reasonable, not exceeding, however, the amount heretofore allowed by law to the clerk of either House of the General Assembly for making an index to his Journal. ים ביו יויפים פפונים ביונים
Which was adopted.

The yeas and nays being required thereon, by the Constitution, were as follows, viz:

Those who voted in the affirmative, were-

John S. Barlow, David Irvine, Shelby Stone,

Robert Blain, John Q. A. King, James Sudduth, William C. Bullock,
William C. Gilliss,
William T. Haggin,
Willey S. Hay,
Overton P. Hogan,

William G. Bullock,
Theodore Kohlhass,
John P. Martin,
Daniel Matthewson,
Robert C. Palmer,
Charles Ripley,

James Sudduth,
W. H. Wadsworth,
C. J. Walton,
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John Williams,
Tucker Woodson,

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Samuel Howard, William Howell,

George W. Silvertooth, George Wright-26. D. Howard Smith,

Those who voted in the negative, were-

Charles H. Allen-1.

Mr. Sudduth, from the same committee, to whom was referred a bill to amend 68th chapter Revised Statutes, reported the same with an amendment, as a substitute therefore.

And the question being taken on the adoption of the amendment, it

was decided in the affirmative.

Ordered. That said bill, as amended, be engrossed and read a third

The constitutional provision as to the third reading of said bill being dispensed with, and the said bill being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration the amendments proposed by the House of Representatives to a bill from the Senate, entitled,

An act to prevent the selling and using of certain weapons.

And the question being taken thereon, it was decided in the nega-

Also, the amendments proposed by the House of Representatives to bills from the Senate, of the following titles, viz:

An act to amend an act to establish a Sinking Fund for Bourbon county, and to provide for the appointment of commissioners thereof.

An act to incorporate the Ashland Life Insurance Company.

An act to authorize the County Court of Logan to sell or otherwise dispose of the old clerk's office.

An act to reduce into one the several acts in relation to the town of Harrodsburg.

An act to amend the charter of the Lexington and Big Sandy Railroad Company.

Which were concurred in.

Bills from the House of Representatives, of the following titles, were severally read the first time, viz:

An act to increase the number of election districts in Louisville.

An act to incorporate the Public Church and School House Company. An act for the benefit of school district in Jefferson county.

An act to amend the law incorporating the Burlington and Florence

Turnpike Road Company. An act for the benefit of the Louisville and Oldham Turnpike Road

Company.

An act to amend the charter of the Versailles and Anderson Turn-pike Road Company.

An act to authorize the President of the Board of Internal Improvement to sell certain property.

An act declaring Licking river, in Floyd county, navigable.

An act to amend an act declaring Miller's creek, in Estill county, a navigable stream.

An act to amend the charter of the Pleasant Run Turnpike Road Company.

An act to incorporate the Lexington Coal Mining Company.

An act to incorporate the Princeton and Eddyville Turnpike Road Company.

An act to amend the charter of the Bloomfield and Springfield Turnpike Road Company.

An act providing for certain turnpike road companies in Anderson county.

An act supplemental to an act appropriating the revenue of Muldrough's Hill Turnpike Road to Taylor county.

An act for the benefit of King A. Baker and his illegitimate son, Curtis Davis.

An act authorizing the Breckinridge and Meade county courts to change a part of the State road leading from Brandenburg to Bowlinggreen.

An act declaring Jenny's creek, in Johnson county, a navigable stream.

An act to provide for the sale of certain lands belonging to the Commonwealth.

An act to incorporate the Lexington and Frankfort Turnpike Road Extension Company.

An act to authorize the County Court of Christian county to establish a road through certain lands in said county.

An act to incorporate the Paris and Bethlehem Turnpike Road Company.

An act to incorporate the Union and Big Bone Turnpike Company. Ordered, That said bills be read a second time.

The constitutional provision as to the second and third readings of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A bill from the House of Representatives, entitled,

An act to give further protection to slave property,

Was read the first time, as follows, viz:

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§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That it shall be the duty of the County Judge, and a majority of the justices in commission of each county bordering on the Ohio river, to appoint a suitable number of patrolers for such county, to keep watch on and near said river to prevent the escape of slaves from this State; such patrolers shall have power to arrest persons suspected of crime, as constables and police officers of cities and towns have.

§ 2. Any patroler may, at any time, with or without notice, be dismissed by the County Judge or court and a majority of the justices in

§ 3. All water craft, whilst near the Kentucky shore of said river, and not in the immediate use or care of the owner, his agent, or servant, shall be secured by at least one good chain, safely locked to a proper fastening, and the oars or paddles shall be removed to a safe place; and for any omission of this duty, besides liability to any person aggrieved, such craft may be seized, and the person offending, if a free person, may be arrested by any patroler or other officer, and such person taken before a Justice of the Peace or County Judge, who, upon hearing the cause, may fine the offender not exceeding fitteen dollars and costs, or recognize him, as in other cases, to appear at the next Circuit Court, where, upon conviction, he shall be fined not less than fifteen nor more than five hundred dollars, or imprisoned in the county jail not more than six months, or both; and the craft seized shall be kept, dealt with, and disposed of; as if seized by attachment under civil process, to satisfy, so far as the same will, any fine imposed and costs, to which end the Justice or Judge shall order such craft to be delivered over to the Sheriff where the offender is recognized, or to a Constable where he is fined, who, as well as the officer making the seizure, shall be entitled to the same fees, with the same restrictions and liabilities, as in attachments under civil process, and the net proceeds shall be accounted for as county revenue officially collected, and go towards paying the wages of said patrolers. If the person offending is a slave, the master may be fined, and other proceedings as prescribed in this act had, as if the master was the offender; but he shall not be imprisoned, and the slave shall be whipped.

§ 4. Towards paying the wages of said patrolers, there shall be allowed to said counties annually, out of any moneys in the Treasury not otherwise appropriated, a sum not exceeding that named hereinthat is to say: To the counties of Greenup, Lewis, Oldham and Henderson, twelve hundred dollars each; to the counties of Mason and Boone, twenty-seven hundred dollars each; to the counties of Bracken and Kenton, nine hundred dollars each; to the counties of Pendleton and Hardin, three hundred dollars each; to the county of Campbell, eighteen hundred dollars; to the counties of Gallatin, Carroll, and Trimble, fifteen hundred dollars each; to the county of Jefferson, forty-two hundred dollars; to every other county bordering on said river, six hundred dollars each. And it shall be the duty of said County Courts, at their Courts held in January, April, July and October, to audit and allow the claim of each patroler in favor of the person entitled thereto, specifying what part is to be paid out of the Treasury, for which the clerk shall issue a certificate, upon payment of twentyfive cents by the person demanding it; and on presentment of the same, 0

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the Auditor shall draw his warrant for so much thereof as does not exceed what is to the credit of said county for the year in which such certificate was issued.

§ 5. To raise a revenue to carry out the object contemplated by this act, in addition to any taxes now established by law, an annual tax of three-fourths of a cent upon each hundred dollars of value of the real and personal estate directed to be assessed for taxation, shall be collected and paid over as other revenue.

Ordered, That said bill be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed with,

The question was taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Howard and Smith, were as follows, viz:

Those who voted in the affirmative, were-

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Charles H. Allen,	Overton P. Hogan,	George W. Silvertooth,
Robert Blain,	Samuel Howard,	D. Howard Smith,
James F. Buckner,	David Irvine,	W. H. Wadsworth,
William C. Bullock,	John Q. A. King,	D. K. Weis,
Jesse W. Burton,	John P. Martin,	John Williams-17.
T. W. W. DeCourcey,	Charles Ripley,	E all veliadioned for a seld

Those who voted in the negative, were-

John S. Barlow,	William Howell,	James Sudduth,
William L. Conklin,	Theodore Kohlhass,	C. J. Walton,
William C. Gilliss,	Daniel Matthewson,	Tucker Woodson,
James D. Hardin,	Robert C. Palmer,	George Wright-14.
Wiley S. Hay,	Shelby Stone,	

So the said bill was disagreed to.

A message was received from the House of Representatives, announcing their disagreement to bills from the Senate of the following titles, viz:

An act in relation to the late keeper of the Penitentiary.

An act for the benefit of William S. Rand, late Commissioner for the State of Kentucky at the exhibition of the industry of all nations.

That they had passed bills from the Senate of the following titles, viz:

An act to provide for the extension of the area of the Penitentiary, and to build a new cell-house and a hospital.

An act for the benefit of John P. Campbell, Samuel Shryock, and James F. Buckner, late building commissioners of the Western Lunatic Asylum.

An act for the benefit of Bright and Bright, and Chapman and Meriwether.

An act for the benefit of John B. Floyd, and the widow of John Coleman, deceased.

An act for the benefit of the Western Lunatic Asylum.

That they had received official information from the Governor that he had approved and signed enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act incorporating certain Turnpike roads in Green county.

An act for punishing negro stealing.

An act to amend the charter of New Haven.

An act to fix the time of holding the Quarterly Court in Barren county.

An act to incorporate Good Samaritan Lodge, No. 374, of Free and Accepted Masons.

An act for the benefit of Barbette Rosenthall.

An act to incorporate Gordonsville Lodge, No. 217, of Free and Accepted Masons.

An act for the benefit of Edward Morriss, of Calloway county.

An act incorporating Poage Lodge, No. 325, of Free and Accepted Masons.

An act for the benefit of the Jailer of Graves county:

An act to amend an act to incorporate the Muldrough's Hill, Columbia, and Campbellsville Turnpike road Company.

An act to incorporate Claysville Division, No. 346, Sons of Temperance.

An act to amend an act, entitled, an act, to amend an act, incorporating the town of Raywick.

An act for the benefit of James W. Thurman, of Bullitt county.

An act to incorporate the Catholic Benevolent Society of Covington. An act to continue in force, an act to incorporate the town of Port Royal, in Henry county.

An act to incorporate Bland Ballard Lodge, No. 38, I. O. O. F. Approved March 7, 1856.

A bill from the House of Representatives, entitled, an act to improve the navigation of Big Sandy,

Was read the first time, and ordered to be read the second time.

The constitutional provision as to the second and third readings of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The year and nays being required thereon, by the Constitution, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, John S. Barlow, Robert Blain,

James D. Hardin, Wiley S. Hay, Overton P. Hogan, D. Howard Smith,

Robert C. Palmer, Charles Ripley,

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James F. Buckner, Wm. C. Bullock, William Howell, Jesse W. Burton, David Irvine, William L. Conklin, John Q. A. King T. W. W. DeCourcey, Theodore Kohlhass, William C. Gilliss,

Samuel Howard, John Q. A. King D. K. Weis, John P. Martin. William T. Haggin, Daniel Matthewson,

Shelby Stone, James Sudduth, W. H. Wadsworth, John Williams, Tucker Woodson-29.

Those who voted in the negative, were-C. J. Walton. George Wright-2.

Resolved, That the title of said bill be as aforesaid.

A bill from the House of Representative, entitled, an act to amend an act, entitled, an act to incorporate the Lexington and Frankfort Railroad Company.

Was read the first time and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Allen and King, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain, James F. Buckner, Jesse W. Burton, William L. Conklin, Charles Ripley, T. W. W. DeCourcey, D. Howard Smith, Wiley S. Hay,

David Irvine, James Sudduth, John Q. A. King, Theodore Kohlhass,

W. H. Wadsworth, D. K. Weis. Tucker Woodson, George Wright-16.

Those who voted in the negative, were-

Charles H. Allen, Overton P. Hogan, Daniel Matthewson, John S. Barlow, William C. Bullock, William Howell, C. J. Walton, James D. Hardin,

Samuel Howard, John P. Martin,

Robert C. Palmer, John Williams-12.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate of the following titles, viz:

An act for the benefit of Wm. Winston, Jr., of M'Cracken county.

An act for the benefit of the Eastern Lunatic Asylum at Lexington.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act for the benefit of Jesse Bayles.

An act for the benefit of Jacob Corbett, of Ballard county.

An act repealing an act, entitled, an act to prevent the destruction of fish in Salt river, approved March 6, 1854.

An act for the benefit of William Harman and Samuel B. Hughes.

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An act for the benefit of J. P. Hammons.

An act for the benefit of James N. Early, of Boone county.

An act for the benefit of John Elison, of Lawrence county.

An act for the benefit of Robert Scott, of Clarke county.

An act for the benefit of the city of Lexington.

An act for the benefit of George Neithercult, of Carter county.

A bill from the House of Representatives, entitled, an act to amend an act, entitled, an act to authorize Daniel Breck, Jr., and F. A. Ramsey to build a dam across North Fork of Kentucky river,

Was read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed,

The question was then taken on the passage of said bill, and it was

decided in the negative.

So the said bill was disagreed to.

Bills from the House of Representatives of the following titles were severally read the first time, viz:

An act to incorporate the Lebanon and Maxville Turnpike road Com-

pany.

An act to incorporate the Bryantsville and Boyle County Turnpike

road Company.

An act to incorporate the Cruise's Knob and Somerset Turnpike road

Company.

An act to incorporate the Lancaster and Buckeye Turnpike road Company.

An act to amend the charter of the Eagle creek and New Liberty

Turnpike road Company.

An act to incorporate the Edmonton and Woodsonville Turnpike road Company.

An act to incorporate the Kentucky River Coal and Lumber Com-

An act to reorganize Transylvania University, and establish a school

for teachers.

Ordered, That said bills be read a second time.

The constitutional provision as to the second and third readings of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Sudduth moved a reconsideration of the vote disagreeing to a bill from the House of Representatives, entitled,

An act for the benefit of R. T. P. Allen, late Superintendent of the Kentucky Military Institute.

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And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as afore-

A message was received from the Governor by Mr. Bibb, assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read, as follows, viz:

EXECUTIVE DEPARTMENT, Frankfort, March 8, 1856.

Gentlemen of the Senate:

I nominate for your advice and consent the following persons to be Notaries Public for the counties named, viz:

Richard S. Higgins, Logan.
Richard Curd, Warren.
Benjamin T. Payne, Warren.
Michael Murphy, Jefferson.
A. M. Hancock, Jefferson.
Jesse H. Gardner, McCracken.
W. Courtnay Watts, Livingston.
Hiram Smith, Union.
Wm. L. Williams, Hopkins.
Benj. D. Kennedy, Jefferson.
C. T. Taylor, Jefferson.
Daniel S. Hays, Cristian.
John B. Baxter, Fayette.

C. S. MOREHEAD.

Resolved, That the Senate advise and consent to said appointments. A bill from the House of Representatives, entitled,

An act for the benefit of the State Road from Mt. Sterling to the Virginia State Line,

Was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading being dispensed with,

The question was taken on ordering the said bill to be read a third time, and it was decided in the negative.

So the said bill was disagreed to.

Bills from the House of Representatives, of the following titles, were severally read the first time, viz:

An act to amend an act to incorporate the Muldrough's Hill, Campbellsville, and Columbia Turnpike road Company.

An act to incorporate the Kentucky and Virginia Coal Mining and Oil Manufacturing Company.

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An act to amend an act, entitled, an act to incorporate the Bryantsville and Cane Run Turnpike road Company.

An act for the benefit of the Northern Kentucky Coal Mining Com-

pany.

An act for the benefit of the Dutch Ridge Turnpike road Company. An act to amend an act to incorporate the Kentucky Coal Company, of Union county, approved March 1, 1850.

An act to incorporate the Hiawatha Mining Company.

An act to amend an act, entitled, an act to incorporate the Mayslick Male and Female Academy, approved March 4, 1854.

An act to incorporate the Minerva Seminary, in Mason county.

An act to incorporate the Sayre Female Institute, in the city of Lexington.

An act changing the times of holding the County Courts in Powell county.

An act in relation to Franklin Academy, in the town of Washington. An act changing the times of holding the county courts in Montgomery county.

An act to change the time of holding the Court of Claims in Mont-

gomery county.

An act for the benefit of school district, No. 1, in Graves county.

An act to incorporate the Green river Education Society.

An act to incorporate the Lafayette Male Academy, in Christian county.

An act to change the time of the meeting of the General Assembly. An act for the benefit of certain fractions of common school districts, in Pulaski county.

An act for the benefit of Jacob T. Miller.

An act for the benefit of the law department of the Transylvania University.

An act for the benefit of John S. Dorman.

Ordered, That said bills be read a second time.

The constitutional provision as to the second and third readings of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That Messrs. Howell, Silvertooth, Matthewson, Weis, Buckner, and Stone be added to the committee on Enrollments.

Bills from the House of Representatives, of the following titles, were severally read the first time, viz:

An act to amend an act, entitled, an act to incorporate the Kentucky Union Railway Company, approved March 10, 1854.

An act in relation to the tolls on the Kentucky river Improvement. Ordered, That said bills be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Said bills were then amended.

Ordered, That said bills, as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, announcing their disagreement to a bill from the Senate, entitled,

An act for the benefit of Conrad Carpenter.

That they had passed bills from the Senate of the following titles, viz:

An act to incorporate the South Kentucky Fair Grounds Association.

An act to create an additional voting and justices' district in Perry county.

An act to fix the salary of the Judge of the Louisville City Court.

An act to amend the law in relation to guardians.

An act to amend chapter 86 of the Revised Statutes, title, "sale of infants' real estate," &c.

An act to increase the powers and jurisdiction of the mayor of the city of Newport.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act to authorize the County Court of Hopkins county, to sell the Poor House and the land on which it is situated.

An act for the benefit of A. L. Offut, late sheriff of Scott county.

An act for the benefit of the assessors of the county of Union.

An act to incorporate the Columbia Fair ground Association.

An act to amend an act, entitled, an act to incorporate the Kentucky Mechanics' Institute, at Louisville.

An act to amend the charter of the Kentucky Agricultural and Mechanical Association.

An act to incorporate the Jefferson County Association.

An act to protect the growers of sheep in Fayette county.

An act relative to the tolls on the different bridges and turnpike gates in this State.

An to incorporate the Milton Bank of Kentucky.

An act to incorporate the Home Insurance and Trust Company, of Louisville.

An act to amend the charter of the Franklin Savings Institution.

An act to incorporate the Bracken County Insurance Company.

An act to amend the law in relation to Public Buildings.

An act to change the place of voting in Justices' and Election district No. 3, in Ohio county.

An act authorizing the county court of Harrison to make sale of the

poor house lands in said county.

An act to amend the act creating a town marshal in Hartford.

An act authorizing the appointment of additional processioners of lands in Lincoln county.

An act creating a treasurer for the county of Bracken.

An act to allow the trustees of the seminary of the town of Prestonsburg to build a house for school and church purposes.

An act for the benefit of the county judge and justices in Ohio

county.

An act to authorize the Garrard county court to subscribe stock in turnpike roads.

An act conferring certain power on the Monroe county court.

An act authorizing the Muhlenburg and Ohio county courts to appoint additional land processioners in said counties.

An act authorizing the Muhlenburg county court to re-district said

county, and creating an additional district.

An act for the benefit of Alfred Miller, late sheriff of Muhlenburg county.

An act to extend the boundaries of the town of Woodbury.

An act to incorporate the town of Gordonsville.

An act for the protection of public roads in certain counties.

An act to authorize the appointment of collector of the revenue for Greenup county.

An act to create the offices of police judge and town marshal, in the

town of Lewisport, in Hancock county.

An act to give further power to the Boyle County Court.

An act for the benefit of the town of Tompkinsville.

An act to legalize the February term of the Casey County Court, 1854.

Mr. Irvine, from the committee on Enrollments, reported that the committee had examined enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

An act to change the August term of the Bullitt county court.

An act for the benefit of Vincent Taylor, of Cumberland county.

An act to change the time of holding the Whitley Quarterly Courts.

An act for the benefit of George Early.

An act for the benefit of the heirs of Benoni Hotchkiss and A. F. Gowdy, actional elections of all the sit to terrands entre timents of the sta

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An act for the benefit of the town of Bradfordsville.

An act for the benefit of William B. Johnson, late sheriff of Laurel county.

An act for the benefit of James M. Speer, late sheriff of Oldham county.

An act for the benefit of W. B. A. Baker, late Sheriff of Mason county.

An act for the benefit of Thomas A. Ireland, Sheriff of Owen county. An act for the benefit of Thomas B. Harrison, late Sheriff of Logan county.

An act to authorize the Whitley County Court to change the State Road from Williamsburg to the State Line.

An act to amend the charter of the Louisville and Newport branch Railroad Company.

An act for the benefit of William Watson.

An act for the benefit of Daniel G. Colyer, late sheriff of Rockcastle county.

An act to incorporate Loraine Lodge, No. 4, of the I.O.O.F.

An act to repeal an act authorizing Nathan May, of Daviess county, to peddle without license.

An act for the benefit of James H. Holladay and John G. Parks adm'rs of Lewis H. Arnold, deceased.

An act to reduce the price of vacant lands in Cumberland county.

An act for the benefit of James M. Smith and John Wesley Shelley. An act for the benefit of the administrators of John Gilbert, dec'd.

An act for the benefit of the Louisville and Cane Run Plank Road Company.

An act to repeal the charter of the town of Florence, in Boone county.

An act for the benefit of Caroline B. Anderson.

An act to incorporate the Covington Building and Loan Association. An act to regulate the duties of county and commonwealth's attorneys.

An act for the benefit of the iron masters of Muhlenburg county.

An act concerning the town of Versailles.

An act for the benefit of the estate of Joseph Robb, dec'd.

An act to incorporate the town of Baltimore, in Hickman county.

An act to incorporate Bigham Lodge, No. 256, of Free and Accepted Masons.

An act for the benefit of the kindred of Louisa Smith.

An act to incorporate the Maysville Marine and Life Insurance Company.

An act to incorporate College City, in Caldwell county.

An act to incorporate the Second Presbyterian Church, at Covington.

An act to amend an act, entitled, an act to establish the town of Frederick, in Barren county, approved 6th February, 1839.

An act in relation to the Kentucky Penitentiary.

An act to amend the charter of the North Middletown, Mount Ida, and Mount Sterling Turnpike road Company.

An act to incorporate the town of Paradise.

An act to amend an act, entitled, an act to amend and reduce into one the several acts relating to the town of Princeton.

An act to amend the 42d chapter of the Revised Statutes.

An act for the benefit of the trustees of the town of Boston, Whitley county.

An act to incorporate Christ Church, Louisville.

An act to incorporate Tempkinsville Lodge, No. 321, of Free and Accepted Masons.

An act to authorize the county courts of Powell, Owsley, Morgan, Breathitt, Perry, and Letcher counties to construct a road from Stanton, in Powell county, to the Virginia State line.

An act incorporate Saint Paul's Church, Louisville.

An act to amend the charter of the Twelve Mile Turnpike Company.

An act to authorize the County Judge to extend the boundary of

the election precincts in Ohio county.

An act declaring Rockcastle creek, in Johnson county, navigable.

An act for the benefit of the Methodist Episcopal Church South, at Hartford.

An act to incorporate the Kenton County Agricultural Society. An act to cause writings to be made in the English language.

An act to incorporate the Louisville Bridge Company.

An act to incorporate the Commissioners of the Sinking Fund for Montgomery county.

An act for the benefit of school district in Jefferson county.

An act declaring Licking river, in Floyd county, navigable.

An act to increase the number of election districts in Louisville.

An act for the benefit of the Louisville and Oldham Turnpike Road Company.

An act incorporating Hustonville Lodge, No. 184, of Free and Accepted Masons.

An act to incorporate McLean Lodge, No. 120, I. O. O. F.

An act to incorporate the Young America Insurance Company.

An act to incorporate the Union Insurance Company of Louisville.

An act authorizing the Breckinridge and Meade County Courts to

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change a part of the State road leading from Brandenburg to Bowling-green.

An act to amend an act declaring Miller's creek, in Estill county, a navigable stream.

An act to incorporate the town of Hazel Green.

An act to amend the charter of the Odd Fellows' Hall Association, of Covington.

An act for the benefit of William Allcock.

An act declaring Jenny's creek, in Johnston county, a navigable stream.

An act to amend the law incorporating the Burlington and Florence Turnpike Road Company.

An act to incorporate the People's Insurance Company.

An act for the benefit of the mechanics and laborers of Oldham, Hickman, Garrard, and Hancock counties.

An act incorporating Springfied Lodge, No. 139, of Free and Accepted Masons.

An act to incorporate the Fuel Coal Company.

An act for the benefit of the Edmonson County Court.

An act to amend an act, entitled, an act for the incorporation of voluntary associations, approved March 9, 1854.

An act to reduce the width of High street, in Louisville.

An act to incorporate the Harrodsburg Springs Company.

An act to change the time of holding the terms of the Pulaski Quarterly Courts.

An act to incorporate the trustees of the Pleasant Grove Presbyterian Church, in Washington county.

An act for the benefit of the clerk of the Marion Circuit Court.

An act to reduce the price of vacant lands in the counties of Johnson and Floyd.

An act for the benefit of the Masonic fraternity of the city of Louisville.

An act to authorize the County Court of Floyd county to establish a ferry on Big Sandy.

An act to change the time of holding the May term of the County Court of Gallatin county.

An act to change the time of holding the Bracken County Court.

An act to amend the charter of the Bloomfield and Springfield Turn-pike Road Company.

An act to amend the charter of the Pleasant Run Turnpike Road Company.

An act to amend the charter of the Versailles and Anderson Turnpike Road Company. An act for the benefit of King A. Baker and his illegitimate son, Curtis Davis.

An act to incorporate the Sayre Female Institute, in the city of Lexington.

An act for the benefit of John S. Dorman.

An act for the benefit of certain fractions of common school districts, in Pulaski county.

An act to incorporate the Green river Education Society.

Resolutions in relation to the alleged claim of the United States to Wolf Island.

And enrolled bills and a resolution which originated in the Senate, of the following titles, viz:

An act to incorporate the Ashland Life Insurance Company.

An act to amend an act, entitled, an act to incorporate the Franklin Female Institute.

An act to repeal an act, passed by the present General Assembly, amending the charter of the Covington and Dry Creek Turnpike road Company.

An act to allow R. M. Bradley & Co. to build dams and buildings on the Cumberland river, and for other purposes.

An act for the benefit of Thomas J. Helm, late Clerk of the County Court of Barren.

An act authorizing the Surveyor's books of Wayne county to be transcribed.

An act for the benefit of Amanda M. Kress.

An act authorizing the trustees to sell and appropriate the Seminary lands of Laurel county.

An act te repeal section 340, of the Criminal Code, and substituting other provisions in lieu thereof.

An act to change the name of the Clear Creek Turnpike Road Company.

An act for the benefit of William Winston, jr, of McCracken county.

An act for the benefit of Israel C. Winfrey and A. D. Robinson.

An act to amend the charter of the city of Lexington.

An act to incorporate the Graefenburg and Louisville Turnpike Road Company, of Shelby county.

An act supplemental to an act incorporating the Kirksville Turnpike Road Company, in Madison county.

An act for the benefit of J. B. Howe and S. P. Williams.

An act to incorporate Dew Drop Lodge, Sons of Temperance, No. 342, of Grant county,

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An act creating an additional justices' district and voting precinct in Morgan county.

An act to incorporate the Breckenridge and Grayson County Turnpike road Company.

An act to incorporate the Versailles and South Elkhorn Turnpike road Company.

An act to incorporate Hope Lodge, No. 246, of Free and Accepted Masons.

An act to amend in part the 61st chapter of the Revised Statutes.

An act to authorize the town of Morgantown, in Butler county, to elect a police judge and town marshal.

An act to incorporate the Bagdad and Harrisonville Turnpike road Company.

An act to incorporate the Hodgenville Turnpike road Company.

An act to incorporate the Kentucky Female Institute.

An act to incorporate the Union Mining and Manufacturing Company.

An act to incorporate Robert Burns Lodge, No. 163, of Ancient York Masons.

An act authorizing the sale of the Buck creek Seminary property in Shelby county.

An act for the benefit of the school commissioners of Owen county. An act authorizing the sale of Cranetown school house and lot, in Boyle county.

An act to amend an act, entitled, an act for the benefit of certain common school districts in Boyle and Mercer counties.

An act changing the boundaries of certain election districts in Clarke county, and to change the voting place in district No. 5.

An act for the benefit of Thomas Helm, late clerk of the circuit and county courts of Lincoln, Thomas B. Nichols, late clerk of the county court of Boyle, and Reuben McCarty, late clerk of the circuit and county courts of Pendleton.

An act to authorize a company to construct a Turnpike Road, in Barren county.

An act to revive and amend an act, entitled, an act to incorporate the Salt river Turnpike road Company.

An act to amend an act incorporating the town of Sardis, in Mason county.

An act to incorporate the Savings Bank of Kentucky, at Covington. An act to amend the charter and laws of the city of Newport, in acertain cases.

An act authorizing the Commissioners of the Sinking Fund to loan any surplus moneys they may have on hand.

Au act for the benefit of Francis E. Hay.

An act to provide for the removal of obstructions of navigation from Licking river.

An act for the benefit of John P. Campbell, Samuel Shryock, and James F. Buckner, late building commissioners of the Western Lunatic Asylum.

An act for the benefit of John B. Floyd, and the widow of John Coleman, deceased.

An act to increase the number of Examiners in Morgan county.

An act authorizing the County Court of Shelby to sell the Poorhouse and grounds of said county.

An act to provide for the extension of the area of the Penitentiary, and to build a new cell-house and a hospital.

An act for the benefit of Bright and Bright, and Chapman and Meriwether.

An act for the benefit of the Treasurer of the State of Connecticut. An act for the benefit of James G. and Archibald G. King, executors of Heinrich C. L. Schaper, deceased.

An act to repeal an act approved March 7, 1854, to regulate the appointment of the Superintendent of the Western Lunatic Asylum.

An act to incorporate the Downingsville Turnpike road Company.

An act for the benefit of the Sheriff of Fayette county.

An act to incorporate the South Kentucky Mining and Manufacturing Company.

An act for the benefit of the trustees of the town of Russellville.

An act for the benefit of the Western Lunatic Asylum.

Resolutions in relation to the removal of obstructions in Cumberland river, in Pulaski county.

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Irvine reported that the committee had performed that duty.

A bill from the House of Representatives, entitled,

An act for the benefit of the State Arsenal,

Was read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by the Constitution, were as follows, viz:

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Those who voted in the affirmative, were—

Robert Blain, Overton P. Hogan, D. Howard Smith,
James F. Buckner, Samuel Howard,
William C. Bullock,
Jesse W. Burton,
William L. Conklin,
T. W. W. DeCourcey,
William C. Gilliss,
James D. Hardin,
Joverton P. Hogan,
Shelby Stone,
James Sudduth,
W. H. Wadsworth,
C. J. Walton,
D. K. Weis,
T. W. W. DeCourcey,
William C. Gilliss,
George W. Silvertooth,
George Wright—25.

Those who voted in the negative, were-

Charles H. Allen, John Q. A. King, John P. Martin—4.
John S. Barlow,

Resolved, That the title of said bill be as aforesaid.

A bill from the House of Representatives, entitled,

An act concerning fraudulent and insolvent corporations,

Was read the first time, as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky: That when any corporation in this State shall appear to have been fraudulently organized, or to be insolvent, said corporation shall be put into liquidation and settlement.

§ 2. When said fraud or insolvency has been made to appear, it shall be the duty of the court to appoint one or more commissioners or agents to take charge of and wind up the affairs of such corporation; and the court shall have full power to do all things needful in the premises.

§ 3. The proceedings contemplated by this act may be had at the instance of any stockholder, and the Circuit and Chancery Courts shall have jurisdiction of such cases, and the proceedings shall be the same as in other cases.

§ 4. Upon hearing the cause the court may declare the charter forfeited, but the rights of creditors shall not be impaired.

Ordered, That said bill be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Wadsworth and Weis were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, Samuel Howard, C. J. Walton,
Robert Blain, John P. Martin, D. K. Weis,
T. W. W. DeCourcey, Daniel Matthewson,
James D. Hardin,

C. J. Walton,
George Wright—10.

Those who voted in the negative, were-

John S. Barlow, Overton P. Hogan, George W. Silvertooth, D. Howard Smith, William C. Bullock, David Irvine, Shelby Stone,

Jesse W. Burton, William L. Conklin, William C. Gilliss, Wiley S. Hay,

John Q. A. King, Theodore Kohlhass, Robert C. Palmer, James Sudduth, W. H. Wadsworth, Tucker Woodson—19.

So the said bill was disagreed to.

A bill from the House of Representatives, entitled,

An act to repeal all lottery grants in this Commonwealth,

Was read the first time, as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky: That all laws of this Commonwealth giving rights and privileges to raise money by lotteries be and the same are hereby repealed.

The question was then taken on rejecting said bill, and it was decided in the affirmative—the Speaker voting in the affirmative.

The yeas and nays being required thereon, by Messrs. King and Blain, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen,
John S. Barlow,
William L. Conklin,
T. W. W. DeCourcey,
James D. Hardin,
Samuel Howard,
David Irvine,
Theodore Kohlhass,
Daniel Matthewson,

George W. Silvertooth, Shelby Stone, James Sudduth, Tucker Woodson, George Wright—15.

Those who voted in the negative, were-

Robert Blain, James F. Buckner, William C. Bullock, Jesse W. Burton, William C. Gillis, Wiley S. Hay, Overton P. Hogan, William Howell, John P. Martin, Robert C. Palmer,

Charles Ripley,
D. Howard Smith,
W. H. Wadsworth,
C. J. Walton,
D. K. Weis-15.

A bill from the House of Representatives, entitled,

An act for the appropriation of money,

Was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Conklin moved to amend said bill by adding thereto the following, viz:

That the sum of three hundred dollars per annum, for the next two years, be appropriated as additional salary to R. C. Wintersmith, Treasurer of the State of Kentucky.

And the question being taken on the adoption of the amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs Hogan and Weis, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain, James F. Buckner, William C. Bullock, Wiley S. Hay, David Irvine, John Q. A. King,

George W. Silvertooth, D. Howard Smith, James Sudduth, 0

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Jesse W. Burton, William L. Conklin, William C. Gilliss,

Theodore Kohlhass, Charles Ripley,

W. H. Wadsworth. Tucker Woodson-16.

Those who voted in the negative, were-

Charles H. Allen, John S. Barlow, James D. Hardin, John P. Martin, Overton P. Hogan,

Samuel Howard. William Howell,

Robert C. Palmer, C. J. Walton, D. K. Weis. Daniel Matthewson, George Wright-12.

Mr. Martin moved the following amendment, viz:

Be it further enacted, That where the present law fixes the compensation of public officers and employees, that no greater sum be paid by the Auditor; and that he restrict the payments contemplated in this bill to correspond with said law.

The Speaker decided the amendment out of order.

From this decision Mr. Martin appealed.

And the question being taken, shall the decision of the chair stand as the judgment of the House? it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Martin and Blain, were as follows, viz:

Those who voted in the affirmative, were-

John S. Barlow, Robert Blain, William C. Bullock, Jesse W. Burton, William L. Conklin, T. W. W. DeCourcey, Theodore Kohlhass, William C. Gillis, Wiley S. Hay,

Overton P. Hogan, Samuel Howard, William Howell, David Irvine. John Q. A. King, Robert C. Palmer, Charles Ripley,

George W. Silvertooth. D. Howard Smith, Shelby Stone, James Sudduth, W. H. Wadsworth, D. K. Weis, Tucker Woodson, George Wright-24.

Those who voted in the negative were-

Charles H. Allen, James D. Hardin,

John P. Martin, Daniel Matthewson,

C. J. Walton-5.

Mr. Barlow moved the following amendment, viz:

Be it further enacted, That the annual salary of the Assistant Auditor be, and is hereby increased one hundred hundred dollars for the next two years.

And the question being taken on the adoption thereof, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Walton and Barlow, were as follows, viz:

Those who voted in the affirmative, were-

John S. Barlow. Robert Blain, James F. Buckner, William Howell, William C. Bullock, David Irvine, Jesse W. Burton, William L. Conklin,

Wiley S. Hay, Samuel Howard, John Q. A. King, Theodore Kohlhass,

Charles Ripley, George W. Silvertooth, D. Howard Smith, Shelby Stone, James Sudduth, W. H. Wadsworth,

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T. W. W. DeCourcey, John P. Martin, Tucker Woodson, William C. Gilliss, Daniel Matthewson, George Wright—25.

Those who voted in the negative, were-

Charles H. Allen, Robert C. Palmer, D. K. Weis—5.
Overton P. Hogan, C. J. Walton,

Ordered, That the further consider of said bill be postponed until Monday next, at half past 8 o'clock, A. M.

Mr. Irvine read and laid on the table the following joint resolution. The rule of the Senate being dispensed with, said resolution was taken up and read, as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the present session of the Legislature be extended to the 12th day of March, 1856

And the question being taken on the adoption of the resolution, it was decided in the negative.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate of the following titles, viz:

An act to amend chapter 7, section 1, of the Revised Statutes.

An act for the benefit of Transylvania University and the Law Library of Louisville.

An act to amend the law in relation to crimes and punishments.

With an amendment to the last named bill.

That they had passed bills of the following titles: viz:

An act for the benefit of millers.

An act to incorporate the Rough and Ready Coal Mining Company, of Union county.

An act to punish for having altered money in possession.

An act to amend article 1, chapter 58, of the Revised Statutes.

An act to amend section 3, chapter 102, of the Revised Statutes.

An act to amend the 2d section, chapter 86, of the Revised Statutes. An act to authorize the Boyle county court to subscribe stock in turnpike roads.

An act to regulate proceedings against ferries.

An act regulating the time of Sheriffs paying in the revenue to the Treasury, and fixing their compensation.

An act establishing a police court in Catlettsburg.

Bills from the House of Representatives of the following titles were severally read the first time, viz:

An act for the benefit of the town of Prestonsburg.

An act incorporating the Crab Orchard and Gilmore's Lick Turnpike Company.

An act to change the time of holding the Breathitt Quarterly Courts.

An act to change the time of holding the County Courts in Hender-

An act to give a term to the Rockcastle County Court.

An act to to change the time of holding the Quarterly Courts of Butler county.

An act to change the time of holding the Quarterly Courts in Meade county.

An act for the benefit of the trustees of the Methodist Episcopal Church South, at Maysville.

An act repealing an act, entitled, an act to prevent the destruction of fish in Salt river, approved March 6, 1854.

An act to increase the jurisdiction of justices of the peace in Jefferson county, and the city of Louisville.

An act for the benefit of the county of Franklin.

An act to give the Henderson County Court power to appoint processioners.

An act to change the time of holding the Washington Quarterly Court and County Court.

An act supplemental to the act in relation to Billiard Tables, Bowling Saloons, and Jenny Lind tables. mW to alleged per on the care

An act to regulate the office of the Kenton County Court clerk.

An act for the benefit of Nicholas Sandifer.

An act to change the boundary of Perry county.

An act for the benefit of Nicholas Combs, late sheriff of Perry county.

An act for the benefit of Robert Scott, of Clarke county.

Ordered. That said bills be read a second time.

The constitutional provision as to the second and third readings of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A bill from the House of Representatives, entitled,

An act to provide for paying the debts due to the contractors of the Western Lunatic Asylum,

Was read the first time, and ordered to be read a second time. The constitutional provision as to the second and third readings of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the Constitution, were as follows, viz:

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Those who voted in the affirmative, were-

John S. Barlow, Robert Blain, James F. Buckner, William C. Bullock, Jesse W. Burton, William C. Gilliss, James D. Hardin,	Wiley S. Hay, Overton P. Hogan,	Charles Ripley, George W. Silvertoot D. Howard Smith, Shelby Stone, D. K. Weis, Tucker Woodson, George Wright—21.
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Those who voted in the negative, were-

Offering and	T. W. W. DeCourcey, James Sudduth,	W. H. Wadsworth, C. J. Walton—6.
William L. Conklin,	James Sudduth,	C. J. Walton-0.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State, announcing that he had approved and signed sundry enrolled bills which originated in the Senate of the following titles, viz:

An act for the benefit of W. T. E. Furman.

An act for the benefit of Braxton Small.

An act to incorporate the Hickman and Graves County Plank Road Company.

An act in relation to the Bourbon Academy.

An act for the benefit of Wm Mayneer, sheriff of Morgan county. An act to incorporate the President and Board of Examination of Eddyville Female College.

An act for the benefit of the Columbus Masonic Seminary.

An act for the benefit of Charles F. Jenkins, late sheriff of Caldwell and Lyon counties.

An act to incorporate the Board of Trustees of the Kentucky Female

College. An act to prevent the destruction of fish in the waters of the North Fork of Licking river, within Mason and Bracken counties, and North Elkhorn, in Scott county.

An act for the benefit of the Tuckahoe Ridge Turnpike Road Company, Mason county.

An act for the benefit of George Hampton, of Morgan county.

An act to amend an act, entitled, an act to incorporate the Kentucky Union Railway Company.

An act for the benefit of John W. Haws, late Sheriff of Lawrence county.

An act for the benefit of Benjamin Norman, of Boone county.

An act to repeal an act, entitled, an act to regulate the duties of the Christian County Court in laying the county levy.

An act to amend the charter of the Danville, Dix River and Lancaster Turnpike road Company.

An act to create an additional civil district in Hickman county.

An act to authorize the County Court of Fulton county to change the State road.

An act to incorporate the Ashland Female Seminary.

An act to provide for the prosecution of the Geological, Mineralogical, Chemical, Tophographical and Agricultural survey of the State.

An act to amend the act incorporating the Lexington and Winchester Turnpike road Company.

Approved March 7, 1856.

Mr. Conklin moved the following resolution, viz:

Resolved, That the Public Printer forward to each Senator two hundred copies of the titles and synopses of the acts passed at the present session of the General Assembly.

Which was adopted.

A message was received from the House of Representatives, announcing that they had receded from the amendments proposed by that House to a bill from the Senate, entitled,

An act to incorporate the Kentucky State Agricultural Society, and to give encouragement to all the arts and sciences connected therewith.

That they had concurred in the amendments proposed by the Senate to bills from that House of the following titles, viz:

An act to amend an act, entitled, an act to incorporate the Kentucky Union Railway Company, approved March 10, 1854.

An act legalizing the locality of the first toll gate from Danville to Crab Orchard.

An act for the benefit of David Bailey, Sheriff of Harlan county, That they had disagreed to the amendments proposed by the Senate, to a bill from that House, entitled,

An act in relation to tolls on the Kentucky river improvements.

That they had concurred in a resolution from the Senate concerning the publication of the laws of a general nature passed at the present session.

That they had concurred in the amondments of the Senate to a resolution from that House, in relation to appropriating a room in the capitol to the use of the State Geologist.

That they had passed bills from the Senate of the following titles, viz:

An act for the benefit of Samuel Salyer.

An act in relation to the office of Attorney General.

An act to amend the laws limiting the time of commencing certain actions.

An act concerning the collection of officer's fees.

An act to incorporate the Grand Division of South Kentucky Sons of Temperance.

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An act to amend the charter of the Lexington and Danville Railroad

An act authorizing the Board of Internal Improvement to appoint members of the board for Shelby county.

An act to amend 68th chapter Revised Statutes.

With an amendment to the last named bill,

That they had passed bills of the following titles, viz:

An act to change the fees of officers of Quarterly Courts in Appeal cases, our entered flore of log winds as the desired out and in the people

An act to amend the 676th, 677th, 678th, and 679th sections of the Code of Practice in civil cases, title "Perpetuation of Evidence."

An act to appoint beneficiary scholars to the Bracken Academy.

An act for the benefit of Rebecca Moyses.

An act to incorporate Marshall Lodge, No. 29, I. O. O. F.

An act to incorporate Corinthian Lodge, No. 74, I. O. O. F.

And then the Senate adjourned.

MONDAY, MARCH 10, 1856.

That they had ownermed in the excendingers proposed by the Senate

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Mr. Sudduth read and laid on the table the following joint resolu-

The rule of the Senate being dispensed with, said resolutions was taken up and read as follows, viz:

WHEREAS, It was by the courage and skill of our Kentucky Fathers, that the savages were driven from the then wild but now highly cultivated territory, that composes our sister State of Ohio; and at a still later period, during the war of 1812 with Great Britain, it was mainly by Kentucky valor the women and children of our sister State of Ohio were saved from the tomahawk and scalping-knife of the Indian, and, at that time, the Briton, the greatest savage of the two.

AND WHEREAS, By the Constitution of the United States we were united as a government of sister States, and mutually dependent on each other: and by the Constitution of the United States the institution of slavery was guarantied to the States in which it existed.

And whereas, Very many lawless citizens of our sister State of Ohio, forgetting all the obligations they were under to Kentucky, and not regarding the consequences to sister States, and in violation of every

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principle of good government and morality-are in the constant habit

of kidnapping and stealing our slave property.

And whereas, The government of our sister State of Ohio, although appealed to in every honorable way, has neglected, if not refused, to take any efficient steps toward the restraint and suppression of such lawless and piratical outlaws, although all civilized governments, and especially ours, fully admit it to be the duty of every government to protect a neutral power against injury from the citizens of the government with which she is a neutral power. And yet the citizens of our sister State of Ohio, in view of the bleaching bones of our fathers and brothers, whose blood was shed in defence of their mothers and sisters, and disregarding the high impulses ever inspired by honor and justice, have repaid us not in gratitude but by insult and injury to a point beyond which forbearance would cease to be a virtue: Wherefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That every male citizen of Kentucky is hereby declared a patrol, with full powers, without a warrant, to arrest any and all persons reasonably suspected of being a negro stealer or abolitionist, who may be found, injuriously to the owner, interfering with the relation of master and slave, and take all proper steps to have said offender dealt with according to law; and that for every offender convicted according to law of the offence of negro stealing, or of aiding any slave to escape from his or her owner, the person or persons who apprehended such criminal shall be entitled to receive \$500 out of the Treasury of Kentucky,

upon the order of the Governor to the Auditor for the same.

Resolved, That all persons who may be guilty of negro stealing, or seducing them from the service of their owner, are hereby declared to be outlaws and pirates, and for any personal injury they may receive at the hands of a citizen or citizens of Kentucky whilst engaged in either offence named in this resolution, the laws of Kentucky shall

afford no remedy.

Resolved, That the Legislature of Ohio is hereby respectfully but earnestly requested to take such measures to protect the rights of the citizens of Kentucky against such lawless acts of the citizens of Ohio as may be honorable and just, and best calculated to preserve the peace and good understanding of the sister States.

Resolved, That a copy of the foregoing preamble and resolutions be transmitted by the Governor of Kentucky to the Governor of Ohio, with a request that the same be laid before the Legislature of Ohio.

Mr. Weis moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the negative.

The year and nays being required thereon by Messrs. Howard and Blain, were as follows, viz:

Those who voted in the affirmative, were—

T.W. W. DeCourcey, D. K. Weis, Tucker Woodson—4. William C. Gilliss,

Those who voted in the negative, were-

Charles H. Allen,	Wiley S. Hay,	Daniel Matthewson,
John S. Barlow,	Samuel Howard,	George W. Silvertooth,
Robert Blain,	William Howell,	Shelby Stone,
ames F. Buckner,	David Irvine,	James Sudduth,
William C. Bullock,	John Q. A. King,	W. H. Wadsworth,
Jesse W. Burton,	Theodore Kohlhass,	John Williams,
Nathaniel W. Collins,	John P. Martin,	George Wright—22.
James D. Hardin,		

The question was then taken the adoption of said resolution, and it was decided in the affirmative.

The Senate took up for consideration the amendments proposed by the House of Representatives, to a bill from the Senate, entitled,

An act for the benefit of the Eastern Lunatic Asylum at Lexington. The question was then taken on concurring in the first amendment proposed by the House of Representatives, and it was decided in the affirmative.

The year and nays being required thereon by the Constitution, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen,	James D. Hardin,	Robert C. Palmer,
John S. Barlow,	Wiley S. Hay,	George W. Silvertooth,
Robert Blain,	Samuel Howard,	D. Howard Smith,
James F. Buckner,	David Irvine,	D. K. Weis,
William C. Bullock,	John Q. A. King,	John Williams,
Jesse W. Burton,	Theodore Kohlhass,	Tucker Woodson,
William C. Gillis,	Daniel Matthewson,	George Wright-21.

Those who voted in the negative, were-

T. W. W. DeCourcey,	Shelby Stone,	W. H. Wadsworth,
	James Sudduth,	C. J. Walton—6.

The question was then taken on concurring in the second amendment proposed by the House of Representatives, and it was decided in the negative.

The yeas and nays being required thereon, by the Constitution were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain, James F. Buckner,	Samuel Howard, David Irvine,	George W. Silvertooth, D. Howard Smith,
William C. Gilliss,	John Q. A. King,	John Williams,
James D. Hardin,	Theodore Kohlhass,	Tucker Woodson—13.
Wiley S Hay		

Those who voted in the negative, were-

Charles H. Allen,	William Howell,	James Sudduth,
John S. Barlow,	John P. Martin,	W. H. Wadsworth,

Wm. C. Bullock, Daniel Matthewson, C. J. Walton, Jesse W. Burton, Robert C. Palmer, D. K. Weis, T. W. W. DeCourcey, Shelby Stone, George Wright—15.

A message was received from the House of Representatives, announcing that they had passed a bill and adopted a resolution of the following titles, viz:

An act to amend section 25 of the Civil Code of Practice.

Resolution authorizing the sale of old arms, &c., in the arsenal.

That they had receded from the second amendment proposed by that House to a bill from the Senate, entitled,

An act for the benefit of the Eastern Lunatic Asylum, at Lexington. Bills from the House of Representatives, of the following titles, were severally read the first time, viz:

An act for the benefit of Jacob Corbett, of Ballard county.

An act for the benefit of William Harman and Samuel B. Hughes.

An act for the benefit of J. P. Hammons.

An act for the benefit of James N. Early, of Boone county.

An act for the benefit of John Elison, of Lawrence county.

An act to authorize the County Court of Hopkins to sell the poorhouse and the land on which it is situated.

An act for the benefit of George Neithercult, of Carter county.

An act for the benefit of A. L. Offutt, late sheriff of Scott county.

An act for the benefit of the assessors of the county of Union.

An act to incorporate the Columbia Fair Ground Association.

An act to amend an act, entitled, an act to incorporate the Kentucky Mechanics' Institute, at Louisville.

An act to amend the charter of the Kentucky Agricultural and Mechanical Association.

An act to incorporate the Jefferson County Association.

An act to protect the growers of sheep in Fayette county.

An act to amend the law in relation to Public Buildings.

An act to change the place of voting in Justices' and Election district No. 3, in Ohio county.

An act authorizing the county court of Harrison to make sale of the poor house lands in said county.

An act to amend the act creating a town marshal in Hartford.

An act authorizing the appointment of additional processioners of lands in Lincoln county.

An act creating a treasurer for the county of Bracken.

An act to allow the trustees of the seminary of the town of Prestonsburg to build a house for school and church purposes.

An act for the benefit of the county judge and justices in Ohio county.

An act to authorize the Garrard county court to subscribe stock in turnpike roads.

An act conferring certain power on the Monroe county court.

An act authorizing the Muhlenburg and Ohio county courts to appoint additional land processioners in said counties.

An act authorizing the Muhlenburg county court to re-district said

county, and creating an additional district.

An act for the benefit of Alfred Miller, late sheriff of Muhlenburg county.

An act to extend the boundaries of the town of Woodbury.

An act to incorporate the town of Gordonsville.

An act for the protection of public roads in certain counties.

An act to amend the charter of the Franklin Savings Institution.

An act to create the offices of police judge and town marshal, in the town of Lewisport, in Hancock county.

An act to give further power to the Boyle County Court. An act for the benefit of the town of Tompkinsville.

An act to legalize the February term of the Casey County Court,

An act to incorporate the Bracken County Insurance Company.

An act to incorporate the Rough and Ready Coal Mining Company, of Union county.

An act to punish for having altered money in possession.

An act to amend article 1, chapter 58, of the Revised Statutes.

An act to authorize the Boyle county court to subscribe stock in turnpike roads.

An act establishing a police court in Catlettsburg.

Ordered, That said bills be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as

aforesaid.

Mr. Irvine, from the committee on Enrollments, reported that the committee had examined enrolled bills and a resolution which originated in the Senate, of the following titles, viz:

An act to amend the law in relation to guardians.

An act to amend the laws limiting the time of commencing certain actions.

An act to authorize the County Court of Logan to sell or otherwise dispose of the old clerk's office.

An act to incorporate the South Kentucky Fair Grounds Association. An act to create an additional voting and justices' district in Perry county.

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An act to amend chapter 7, section 1, of the Revised Statutes.

An act for the benefit of Transylvania University and the Law Library of Louisville.

An act to amend chapter 86 of the Revised Statutes, title, "sale of infants' real estate," &c.

An act concerning the collection of officers' fees.

An act to incorporate the Grand Division of South Kentucky Sons of Temperance.

An act to fix the salary of the Judge of the Louisville City Court.

An act to amend the charter of the Lexington and Big Sandy Railroad Company.

An act to charter the Williamsburg, Cumberland river, and Tennessee Railroad Company.

An act to amend the charter of the Lexington and Danville Railroad Company.

An act to establish the Deposit Bank of Mount Sterling, Kentucky.

An act for the benefit of the town of Cynthiana.

An act changing the name of the town of Hardinsville, in Shelby county, to that of Graefenburg.

An act for the benefit of Mary S. Bacon.

An act to authorize Willis Peck and wife to sell two slaves.

An act prescribing the mode of proving the laws of any of the states or territories.

An act to extend the time of registering surveys founded on Kentucky land office warrants.

An act supplemental to an act to incorporate the Barren County Railroad Company.

An act to incorporate the Kentucky River Coal, Salt, and Lumber Company.

An act for the benefit of the law department of the University of

An act to incorporate the Clay Fire and Marine Insurance Company, of Newport.

An act to increase the powers of the marshal of Owingsville.

An act to establish an additional election and civil district in Christian county.

An act authorizing the Board of Internal Improvement to appoint members of the board for Shelby county.

An act for the benefit of Samuel Salyer.

An act in relation to the office of Attorney General.

Resolution concerning the publication of the laws of a general nature, passed at the present session.

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And enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Covington and Lexington Rail-

road Company.

An act to amend the law in relation to attachments in civil cases.

An act to change the time of holding the Quarterly Courts of

Green county.

An act to provide for the removal of the remains of Gen. George Rogers Clarke to the Frankfort Cemetery, and the erection of a monument to his memory.

An act to incorporate the Catlettsburg and Louisa Turnpike Road

Company.

An act for the benefit of certain clerks of this Commonwealth.

An act to amend the charter of the Elizabethtown and Bell's Tayern Turnpike Road Company.

An act to incorporate the Western Insurance Company.

An act to authorize the President of the Board of Internal Improvement to sell certain property.

An act to improve the navigation of Big Sandy river.

An act supplemental to an act appropriating the revenue of Muldrough's Hill Turnpike Road to Taylor county.

An act to provide for the sale of certain lands belonging to the Com-

monwealth.

An act to amend an act, entitled, an act to incorporate the Bryantsville and Cane Run Turnpike Road Company.

An act for the benefit of John S. Dorman.

An act to incorporate the Sayre Female Institute, in the city of Lexington.

An act to incorporate the Lafayette Male Academy, in Christian

county.

An act for the benefit of the State Arsenal. An act for the benefit of Jacob T. Miller.

An act to change the time of holding the Court of Claims in Montgomery county.

An act changing the times of holding the County Courts in Powell

county.

An act for the benefit of R. T. P. Allen, late Superintendent of the Kentucky Military Institute.

An act for the benefit of the Dutch Ridge Turnpike Road Company.

An act for the benefit of the trustees of the Methodist Episcopal Church, South, at Maysville.

An act for the benefit of the county of Franklin.

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An act to change the time of holding the Washington Quarterly Court and County Court.

An act to give the Henderson County Court power to appoint processioners.

An act to increase the jurisdiction of justices of the peace in Jefferson county, and the city of Louisville.

An act to amend an act, entitled, an act to incorporate the Mayslick Male and Female Academy, approved March 4, 1854.

An act to incorporate the Minerva Seminary, in Mason county.

An act incorporating the Crab Orchard and Gilmore's Lick Turn-pike Company.

An act for the benefit of Alfred Miller, late Sheriff of Muhlenburg county.

An act for the benefit of Nicholas Sandifer.

An act to regulate the office of the Kenton County Court clerk.

An act in relation to Franklin Academy, in the town of Washington.

An act to amend the charter of the Eagle creek and New Liberty Turnpike Road Company.

An act to incorporate the Union and Big Bone Turnpike Company. An act to provide for paying the debts due to the contractors of the Western Lunatic Asylum.

An act repealing an act, entitled, an act to prevent the destruction of fish in Salt river, approved March 6, 1854.

An act to change the boundary of Perry county.

An act for the benefit of Robert Scott, of Clarke county.

An act for the benefit of Nicholas Combs, late sheriff of Perry county.

An act supplemental to the act in relation to Billiard Tables, Bowling Saloons, and Jenny Lind tables.

An act to incorporate the Kentucky River Coal and Lumber Company.

An act to authorize the County Court of Christian county to establish a road through certain lands in said county.

An act to incorporate the Princeton and Eddyville Turnpike Road Company.

An act to amend an act, entitled, an act to incorporate the Kentucky and Louisville Mutual Insurance Company.

An act for the benefit of school district, No. 1, in Graves county.

An act to protect the growers of sheep in Fayette county.

An act to give a term to the Rockcastle County Court.

An act to change the time of holding the Breathitt Quarterly Courts.

An act to change the time of holding the Quarterly Courts in Meade county.

An act for the benefit of the town of Prestonsburg.

An act for the benefit of the law department of the Transylvania University.

An act to to change the time of holding the Quarterly Courts of But-

ler county.

An act to change the time of the meeting of the General Assembly.

An act to change the time of holding the County Courts in Henderson.

An act changing the times of holding the County Courts in Montgomery county.

An act legalizing the locality of the first toll-gate from Danville to Crab Orchard.

An act for the benefit of David Baily, sheriff of Harlan county.

An act to incorporate the Public Church and School House Company. An act providing for certain turnpike road companies in Anderson

An act to extend the corporate limits of the city of Louisville.

Resolution in relation to appropriating a room in the capitol to the State Geologist.

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Irvine reported that the committee had per-

formed that duty.

A bill from the House of Representatives, entitled,

An act for the benefit of Jesse Bayles,

Was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Martin and King, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain, William Howell, Shelby Stone, James Sudduth, T. W. DeCourcey, John Q. A. King, W. H. Wadsworth,

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William C. Gilliss, Robert C. Palmer, D. K. Weis,

Samuel Howard, Charles Ripley, Tucker Woodson-15.

Those who voted in the negative, were-

Charles H. Allen,

James D. Hardin, Daniel Matthewson, Jesse W. Burton, John P. Martin,

John S. Barlow, Wiley S. Hay, C. J. Walton, James F. Buckner, Theodore Kohlhass, John Williams, George Wright—10.

Resolved, That the title of said bill be as aforesaid.

Bills from the House of Representatives, of the following titles, were severally read the first time, viz:

An act for the benefit of the city of Lexington.

An act relative to the tolls on the different bridges and turnpike roads in this State.

An to incorporate the Milton Bank of Kentucky.

An act to authorize the appointment of collector of the revenue for Greenup county.

An act to regulate proceedings against ferries.

An act to amend section 3, chapter 102, of the Revised Statutes.

An act to amend the 2d section, chapter 86, of the Revised Statutes. An act regulating the time of Sheriffs paying in the revenue to the Treasury, and fixing their compensation.

On motion, said bills were respectively laid upon the table.

A bill from the House of Representatives, entitled,

An act for the benefit of Millers,

Was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with, and any assumed that the grant the same the

Mr. Allen moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

A message was received from the House of Representatives, asking leave to withdraw the report of their disagreement to a bill from the Senate, entitled, market and the lands blueds are able to the control

An act to prevent fraudulent assignments in trust for creditors and other fraudulent conveyances.

Which was granted. Resolved, That the Senate insist on their amendment to a bill from the House of Representatives, entitled,

An act in relation to the tolls on the Kentucky river Improvement. Resolved, That the Senate disagree to the amendments proposed by the House of Representatives, to a bill from the Senate, entitled,

An act to amend 68th chapter Revised Statutes.

Resolved, That the Senate concur in the amendments proposed by the House of Representatives to a bill from the Senate, entitled,

An act to amend the law in relation to crimes and punishments.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

Executive Department, Frankfort, March 10, 1856.

Gentlemen of the Senate:

I had presented to me on the 7th inst., for my approval and signature, "an act to amend an act incorporating the Savings Institution of Harrodsburg." There is no act of that title on the Statute books, that I have been able to find, but there is an act to incorporate the Elizabethtown Savings Institute, and for other purposes, approved March 7th, 1850, in which act the Savings Institute of Harrodsburg is incorporated, by making all the provisions of the Elizabethtown institution applicable to it. Supposing that this is the act referred to, the bill presented for my approval provides that in addition to its present privileges it shall have the power, and is authorized to issue bills and bank notes, payable to bearer on demand, at its office of discount and deposit at Harrodsburg, but not of less denomination than one dollar. This provides, also, that the charter shall expire in the year 1885. The privilege is given to establish one branch, in which event, "an addition of \$100,000 may be added to the capital stock;" but no privilege is given to issue notes payable at any other point than Harrodsburg. By a subsequent section it is provided that the capital stock of said bank shall be \$100,000. The bill before me must be taken in connection with the act to which it is intended as an amendment, and be considered as if every part of the original act, not inconsistent with it, were, section by section, incorporated in the present bill. Thus considering it. I deeply regret that I cannot, consistently with my sense of duty to the country, approve and sign the bill.

At a former day of the session, I presented my objections to a bill making this institution a bank of issue, and those objections were sustained by a unanimous vote of the Senate. I have seen no reason

whatever for changing any of the views then presented.

I still think we have bank capital enough, and that there must be some point at which we should stop. The particular locality of this bank presents no urgent necessity for more capital than it now has. There is already at Harrodsburg a branch of the Commercial Bank, and within ten miles distant a branch of the Bank of Kentucky. Believing it detrimental to the best interests of the State further to enlarge our banking capital, I am determined that the responsibility for such increase shall rest wholy with you. I confess also that I have an invincible repugnance to converting any deposit or savings bank into a bank of issue. They are springing up in every town and village in the State. You are apprised of the large number of charters which have been passed by the present General Assembly. There is a provision in every charter that they shall not be banks of issue. I con-

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untana sas lo mann sider this an implied pledge, that they shall not become such. On this account they are usually passed without very particular scrutiny. There is not one, whose charter I have examined, that requires the capital stock to be paid in gold or silver. The stock may be paid in bank paper. As an original proposition, would you charter a bank without requiring the capital to be paid in coin? If you establish this bank do you not set the example of making banks of issue of all other deposit banks in the State? I am unwilling to do this. I consider the only safe course is to meet it at the threshold. This bill allows notes to be issued as a circulating medium to the extent of two dollars for every one of capital, without any means of the public knowing whether there is one dollar of specie in the vaults to redeem its issues. It is true that the residue of the stock to be taken must be paid in gold or silver. But, suppose no additional stock is taken, the bank can still issue two for one upon the capital now taken.

It was upon just such capital as this that the independent banks were based, and their brief and disastrous career is well known.

We have now a sound currency, and I cannot do that which I honestly believe is but the beginning of a system which is to terminate in the prostration of public, as well as private credit.

But considering this bill in connection with the act to which it is intended as an amendment, I still believe that the capital may be indefinitely increased. The following provision is found in the original charter: "Any depositor who shall make known his intention to become a stockholder, and have the same so entered on the books of the corporation, shall be entitled to dividends in proportion to the amount deposited, and such dividend shall be added to his or her deposit, until the amount shall be equal to a share, when a certificate of stock shall be issued, and so he or she may again deposit from time to time, and receive certificates of stock when the amounts, deposits, and dividends be sufficient therefor."

If this provision were incorporated in the present bill, could any one doubt that the deposits might be converted into stock without limitation?

In addition to its present privileges, it has all the privileges conferred by this bill. This bill says, "its capital stock shall be \$100,000," in addition to its present privileges. The original bill provides that the capital stock shall be \$100,000, "independent of its stock deposit." What is there in this bill that repeals this provision? Its present privilege, which is guaranteed by this bill, is to convert its deposits into The stock to be subscribed and paid up is limited in capital stock. both the original act and present bill to \$100,000. But the independent privilege of converting deposits into stock remains unaffected by this limitation. In my former message I called your attention particularly to this provision; my construction of both acts taken together is, that the capital is still unlimited. It may be increased at the will of the directory to an indefinite amount. This increase might be made in the worst possible form. The deposits are not required to be in gold or silver, and if I am correct in the construction of the two acts, any thing which might be received on deposit can be converted into stock. This bill provides that no stockholder "shall be allowed to make payment of the shares of stock held by him or her, by means of a loan obtained from said bank."

This evidently has allusion only to such stock as is held before it is paid for, as part of the prescribed capital of \$100,000. When stock is obtained by deposits, it is paid for before the stock is issued—an individual may borrow \$1,000 and deposit it, and the directory may allow it to be converted into stock, and this operation be continued until the capital is swelled to any desired amount. In this way a bank of enormous capital may be created without the actual payment of one dollar in money. I do not say that this will be done, but the power is given thus to act, and I am unwilling to sanction it by my approval.

That the independent banks were established generally by a similar

contrivance, is a matter of public notoriety.

If this construction were a subject of doubt, which, with me is not the case, the doubt itself would be sufficient for me to withold my approval. When was there ever a doubtful power in a bank charter, that was not claimed and exercised by the corporation? The bill before me was passed near the close of the session, in the hurry of business, and could not have received that scrutiny demanded by its importance. I feel, therefore, no hesitation in sending it back to you for reconsideration. A law that is to continue in existence for thirty years, and which is intended to afford for that time a circulating medium for the people, ought to receive the sanction of a majority of all the members elected to both houses of the General Assembly. An appropriation of money exceeding \$100, cannot be passed without obtaining such a majority, and surely the establishment of a bank is of vastly more importance than this.

I trust, however, upon re-consideration, that you will concur with me that this bill ought not to become a law. If, however, you should differ with me, I shall have discharged my duty, and the responsibility

will be yours, not mine.

C. S. MOREHEAD.

The bill referred to in said message reads as follows, viz:

An act to amend an act incorporating the Savings Institution of Harrodsburg.

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky: That said institution shall keep its office of discount and deposit in the town of Harrodsburg, and that, in addition to the present privileges, it shall have the power, and is hereby authorized, to issue bills and bank notes payable to bearer on demand, at said office of discount and deposit, but not of any less denomination than one dollar.

§ 2. The bank notes to be issued by said institution shall be signed by the President, and countersigned by the Cashier thereof, and said institution is inhibited from issuing checks or orders payable at its office of discount, or elsewhere, to any person or order, or to any person or bearer, with the intent that said checks or orders shall circulate as bank notes.

§ 3. That said institution shall at no time owe, whether by bond, bill, note, or other contract, an amount exceeding twice the amount of capital stock actually paid in, exclusive of sums due upon deposit, nor

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shall said institution at any time suspend, fail, or refuse to pay in gold or silver, any of its notes, bills, or other obligations, when due and payable, and demanded at its office of discount and deposit, during its regular banking hours; nor shall it refuse to pay any moneys, notes, bills, or other articles on deposit in said institution, when due and demanded as aforesaid, and for any such failure, said institution shall be liable to pay damages at the rate of ten per cent. per annum, from the time of such failure, till payment thereof, to be recovered by action in any court of record having jurisdiction of such causes; and for such failure or refusal, this charter shall be forfeited; and if, upon judgment being rendered against said institution for any of said causes, the property and funds of said institution be not sufficient to liquidate the demand against said institution, then each stockholder, his heirs, executors, and administrators, and assigns, shall be liable to pay (if necessary to satisfy such judgment,) out of his individual property, an amount equal to twice the amount of stock owned by him in said institution, any condition or agreement to the contrary notwithstanding.

§ 4. If any such individual responsibility shall occur, and loss thereby be thrown upon any stockholder of said institution, then the other stockholders of said institution shall be responsible, and contribute towards said loss, respectively, in proportion to the stock held by them, in said institution, regarding said loss as a burden upon all the stockholders therein, to be met and borne by them respectively to their in-

terest and amount of stock in said bank.

§ 5. That no new stock shall be taken in said institution until the president and directors thereof shall cause books to be opened for that purpose; and they may require such premiums upon the residue of said stock, as they may deem right, and such premiums when paid shall be the property of the bank; and the payment of said shares, yet to be taken, shall be made in gold and silver, at such time and in such manner as the president and directors may order; but before the re-opening of said books for the taking of the residue of said stock, at least thirty days notice of the time and place thereof shall be given by publication in some newspaper published nearest said bank.

§ 6. The number of directors of said institution shall be seven, (instead of five, as allowed by the original charter,) and that in case of the death, resignation, or vacancy from any other cause, in the directors of said institution, the remaining, or any four of whom, who shall constitute a quorum for business, shall fill such vacancy from among the other stockholders having the requisite qualifications, for the unexpired term of such director or directors, whose seat has been thus vacated, and the president of said institution shall hold his office for one year, or until his successor shall be chosen as required by the original charter.

§ 7. That if the cashier, teller, clerk, agent, or other officer of said institution shall, without authority of the president and directors thereof, appropriate any of the funds of said corporation to his own use, or to that of any other person, or shall wilfully fail to make correct entries on the books of the institution, with intent to cheat or defraud the corporation, or any other person, or to hide or conceal any improper

appropriation of the funds of the corporation, the officer or officers so offending shall be deemed guilty of felony, and shall, upon conviction and sentence thereof, be sentenced to confinement in the jail and penitentiary of this State, for a period not less than five nor more than twenty years.

§ 8. It shall be the duty of the president and directors of said bank, upon the first day of December, and the first day of June, annually, to transmit to the Secretary of State an accurate statement of the condition of the bank as it existed on the first day of the preceding month; which statement shall specify the amount of capital stock annually paid in, and the amount not paid in, and the value of the real estate belonging to said bank, and its cost, the total amount of debts due to and from said bank, the amount of gold and silver, and other coined metal and bullion on hand, the amount deposited, the amount of bills in circulation, and the amount of bills on hand of other incorporated banks, and the amount of notes in circulation of each denomination issued by the bank, the rate and amount of dividend, and the profits made by said bank, with the amount of the contingent fund; which statement the Governor of the Commonwealth shall cause to be laid before the Legislature of Kentucky, and they shall, when required by the Legislature, report all bad and doubtful debts.

§ 9. Said institution shall not contract for or receive a greater rate of interest than at the rate of six per centum per annum, for the loan or forbearance of money, and interest on promissory notes, negotiable and payable at said institution; and their discount shall be calculated on the true time such notes have to run, including three days of grace, and shall be paid in advance, on banking principles, in accordance with Rowlett's tables of discount and interest.

§ 10. Such of the notes or bills of said institution as shall be payable to order, shall be transferable by assignment, and those made payable to bearer, by delivery.

§ 11. The president, directors, cashier, clerks, and other officers, of said institution, before entering upon the discharge of their duties, shall respectively take an oath before some justice of the peace of this State, faithfully, honestly, and impartially to execute all the duties of their respective offices and stations.

§ 12. The Legislature of Kentucky shall have the power to investigate the situation and affairs of said institution by any committee they may appoint for that purpose, from time to time.

§ 13. That for any alleged forfeiture of the charter of this institution, the Circuit Court of Franklin county shall have jurisdiction to try the same, but the proceedings shall be by scire facias, alleging and specifying the acts of forfeiture relied upon, and shall only be sued out at the instance of the Attorney General of the State, when directed by the Legislature of Kentucky, or the Governor for the time being, from which an appeal may be taken, as in other cases: Provided, That should any forfeiture be declared, this institution shall have the power to sue and be sued, and continue its operations necessary for the winding up of the same, and no other.

§ 14. That upon any stockholder failing or refusing to pay his stock as herein provided, the president and directors, first giving public notice

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ock tice in some newspaper printed in this State, for the space of thirty days, by a resolution entered on their records, may forfeit said stock, and proceed at such time as they may deem expedient to re-sell the same; and all partial payments made on any stock which may be forfeited shall be held for the benefit of the bank.

§ 15. Said institution shall make no loan of money or discount any note or bill, on the pledge of the stock of said bank, whatever, and no stockholder shall be allowed to pay any debt he may owe the bank by the surrender of the stock of the bank, until all the notes of the bank shall have been redeemed, and all the debts of the bank paid; and stockholders becoming indebted to said bank, shall be compelled to pay their debts, in all respects, as other persons dealing with the bank; nor shall any stockholder be allowed to make payment of the shares of stock held by him or her by means of a loan obtained from said bank.

§ 16. It shall not be lawful for the cashier or any other subordinate officer of said bank, to engage in, or carry on any other business than that of said bank, without the special license of the president and directors, under the penalty of one thousand dollars, to be recovered by action, in any court of record having jurisdiction, to be recovered in the corporate name of the bank, and to become upon recovery the property of the bank; nor shall the cashier, teller, clerk, or other subordinate officer of the bank, become indebted to said bank, either as borrower, indorser, or surety, under like penalty and recovery.

§ 17. At no time shall there be a greater amount than thirty-three and one-third per cent. of the funds of this bank employed in dealing in foreign or domestic bills of exchange, and the remainder shall be used in dealing in negotiable and accommodation paper, indorsed and properly secured.

§ 18. Said institution shall have the privilege of establishing a branch at such place south of the Kentucky river as the board of directors may deem proper, and in case such branch be located, an addition of one hundred thousand dollars may be added to the capital stock; not less than fifty, nor more than one hundred thousand dollars of the capital stock of this institution shall be employed at the branch so located.

§ 19. This institution shall pay annually one half of one per cent. on her capital stock paid in to the State of Kentucky, in consideration of this charter, which shall be in lieu of all other taxation.

§ 20. This charter shall expire in the year of our Lord eighteen hundred and eighty-five; and said bank shall not issue any notes, bills, checks, or orders, to circulate as money, other than such as are payable on demand.

§ 21. That if said bank shall at any time owe, in any manner, an amount exceeding twice the amount of capital stock actually paid in, exclusive of deposits, then, in case of such excess, the president and directors under whose administration it shall have taken place, shall be liable for any or all of the debts of said bank, in their individual capacities, by a joint or several action against them, or any of them, their heirs, executors, administrators or assigns, in any court having jurisdiction thereof, by any creditor or creditors of said bank, and may be prosecuted to judgment and execution, any condition or agreement

to the contrary notwithstanding: Provided, That if the president or any of the directors may be absent when the excess shall be contracted or created, or being present, shall dissent from the act by which the excess is about to be contracted or created, he or they shall not be liable under this section, if he or they shall, within ten days from the creation of such excess, or discovery thereof, make affidavit of their absence or dissent, and file the same for record with the Clerk of the County Court of said county, and shall, moreover, within ten days, give notice thereof in one public newspaper printed in the county or State, and transmit a copy thereof to the Governor for the time being; and shall, in said notice, call a meeting of the shareholders, which they are hereby authorized to do. And in addition to the duties and requirements specified in the eighth section of this act, it shall also be the duty of the president and cashier to transmit, at the same time, his affidavit that said bank does not owe, in any manner, more than twice the amount of the capital stock actually paid in; or if it does, then to state the amount of excess, in what manner created, and when created

§ 22. The capital stock of said bank shall be one hundred thousand dollars. Said bank shall not hold and own, at any time, an amount of bills of exchange exceeding the amount of promissory notes held and owned at such time by said bank; and all promissory notes payable at a different point from that at which they may be discounted, and from which a greater discount than at the rate of six per centum per annum is taken, whether under color of exchange, charge for collection, or otherwise, shall, for the purpose of this section, be held and taken to be bills of exchange; but the bank shall not be held to have violated this provision, if the amount of the promissory notes held and owned by the bank shall be at any time reduced by payments below the amount of bills of exchange: Provided, No further purchase of bills are made for said bank until the amount of bills be reduced below that of promissory notes: Provided, however, Said bank shall at no time charge a greater rate of exchange than one-eighth of one per cent. per month on bills made payable in this State, or the one-fourth of one per cent. a month on bills payable out of this State, and on no bill, for any length of time, a greater amount for exchange than one per cent. when payable out of this State; but this proviso shall not legalize any usurious charge for time, under color of charging for exchange, or affect the right of the Legislature at any time to limit in any manner the rate of discount for exchange on any bill of exchange that may be discounted by said bank: Provided, further, That said bank shall not at any time buy or deal in that class of bills known by the name of "kites;" and should the officers of said bank buy or deal in any such bill or bills, knowing the character thereof, or having it in their power to ascertain the character thereof, by proper diligence, the parties bound upon said bill shall be released from liabilities thereon, and said bill shall be void and not collectable by law, or otherwise; and said bank shall be liable to all other penalties affixed by this act for a violation of the foregoing provisions.

§ 23. This act to take effect from its passage.

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§ 24. Be it further enacted, That the Legislature reserves to itself the right to amend this charter at its pleasure.

JOHN B. HUSTON, Speaker of the House of Representatives. JAMES G. HARDY, Speaker of the Senate.

The question was then taken, shall the bill pass, the veto of the Governor to the contrary notwithstanding, and it was decided in the

The year and nays being required thereon, by the Constitution, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, William C. Gilliss, Robert C. Palmer, James D. Hardin, John S. Barlow, Shelby Stone, D. K. Weis-10. John Q. A. King, D. K. Weis-10. Robert Blain, T. W. W. DeCourcey,

Those who voted in the negative, were—

D. Howard Smith, James F. Buckner, David Irvine, William C. Bullock. Theodore Kohlhass, James Sudduth, Jesse W. Burton, John P. Martin, W. H. Wadsworth, Wiley S. Hay, Daniel Matthewson, John Williams, Samuel Howard, Tucker Woodson, Charles Ripley, William Howell, George W. Silvertooth, George Wright-18.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State, announcing that he had approved and signed sundry enrolled bills which originated in the Senate of the following titles, viz:

An act to allow R. M. Bradley & Co. to build dams and buildings on the Cumberland river, and for other purposes.

An act to incorporate the Nashville and North-western Railroad Company.

An act to charter the Tradewater Coal and Iron Mining Company. An act to incorporate the Richmond Royal Arch Chapter, No. 16.

An act to incorporate Richmond Lodge, No. 25, of Free and Accepted Masons.

An act to amend the 5th section of article 7, chapter 93, Revised Statutes.

An act for the benefit of the clerk of the Hickman circuit court.

An act to provide for any deficiency in the Treasury that may occur during the year 1856.

An act to incorporate the Daniel Boone Military Institute.

An act to establish a uniform weight of coal.

An act to incorporate Benevolent Lodge, No. 58, of Ancient York Masons. An act for the benefit of the town of Crathians.

An act for the benefit of Daniel Boone Eclectic Institute.

An act for the benefit of Ashland common school district in Greenup county.

An act to amend section 621 of the Civil Code of Practice.

An act in relation to the McCracken county court.

An act to incorporate the Nashville and Paducah Telegraph Company.

An act for the benefit of the sheriff of Washington county.

An act to change the place of voting in the 3d district, in Simpson county.

An act for the benefit of Aaron Johnson, sheriff of Laurel county.

An act to change the time of holding Harrison County Court.

An act supplemental to an act, entitled, an act to incorporate the Rough Creek Navigation and Manufacturing Company.

An act to amend an act, entitled, an act to incorporate the Central

Kentucky Agricultural and Mechanical Association.

An act to repeal an act, passed by the present General Assembly, amending the charter of the Covington and Dry Creek Turnpike road Company.

An act to amend an act, entitled, an act to incorporate the Franklin

Female Institute.

An act to amend the charter of the city of Louisville.

An act to amend the charter incorporating the Parochial School of the Hanging Fork Presbyterian Church.

An act to incorporate the Ashland Fire, Marine, and Life Insurance

Company.

An act to incorporate the Kentucky Christian Education Society.

An act to incorporate and endow the Western Kentucky College.

An act to establish the Academical Institute of Louisville.

An act to incorporate the Logan county Agricultural and Mechanical Association.

An act for the benefit of M. T. Shelburne, of Ballard county.

An act to incorporate Carroll Lodge, No. 45, I. O. O. F.

An act for the benefit of those who may become purchasers of the Maysville and Lexington Railroad.

An act to incorporate the Deposit Bank of Carlisle.

An act to amend chapter 86, articles 3 and 4 of the Revised Statutes, title, "Land and Slaves of Infants."

Resolutions in relation to the removal of obstructions in Cumberland river, in Pulaski county.

Approved March 8, 1856.

An act to incorporate the Prestonsburg Coal and Iron Company. An act for the benefit of the town of Cynthiana. 300

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An act to amend chapter 7, section 1, of the Revised Statutes.

An act for the benefit of Transylvania University and the Law Library of Louisville.

An act to amend the law in relation to guardians.

An act to amend chapter 86 of the Revised Statutes, title, "sale of infants' real estate," &c.

An act changing the name of the town of Hardinsville, in Shelby county, to that of Graefenburg.

An act supplemental to an act to incorporate the Barren County Railroad Company.

An act to establish an additional election and civil district in Christian county.

An act prescribing the mode of proving the laws of any of the states or territories.

An act to incorporate the Kentucky River Coal, Salt, and Lumber Company.

An act to extend the time of registering surveys founded on Kentucky land office warrants.

An act to amend the charter of the Lexington and Danville Railroad Company.

An act concerning the collection of officers' fees.

An act to incorporate the Grand Division of South Kentucky Sons of Temperance.

Resolution concerning the publication of the laws of a general nature, passed at the present session.

An act authorizing the Board of Internal Improvement to appoint members of the board for Shelby county.

An act to amend the laws limiting the time of commencing certain actions.

An act in relation to the office of Attorney General.

An act for the benefit of Samuel Salyer.

An act for the benefit of Mary S. Bacon.

An act to increase the powers of the marshal of Owingsville.

An act to amend the charter of the Lexington and Big Sandy Railroad Company.

An act to authorize the County Court of Logan to sell or otherwise dispose of the old clerk's office.

An act to incorporate the South Kentucky Fair Grounds Association. An act to create an additional voting and justices' district in Perry county.

An act to fix the salary of the Judge of the Louisville City Court. An act to incorporate Dew Drop Lodge, Sons of Temperance, No. 342, of Grant county. An act creating an additional justices' district and voting precinct in Morgan county.

An act for the benefit of J. B. Howe and S. P. Williams.

An act supplemental to an act incorporating the Kirksville Turnpike Road Company, in Madison county.

An act to incorporate the Graefenburg and Louisville Turnpike Road

Company, of Shelby county.

An act to amend the charter of the city of Lexington.

An act for the benefit of Israel C. Winfrey and A. D. Robinson.

An act for the benefit of William Winston, jr., of McCracken county.

An act to provide for the extension of the area of the Penitentiary, and to build a new cell-house and a hospital.

An act for the benefit of Bright and Bright, and Chapman and Meriwether.

An act te repeal section 340, of the Criminal Code, and substituting other provisions in lieu thereof.

An act to change the name of the Clear Creek Turnpike Road Company.

An act authorizing the trustees to sell and appropriate the Seminary lands of Laurel county.

An act for the benefit of Amanda M. Kress.

An act to incorporate the South Kentucky Mining and Manufacturing Company.

An act for the benefit of Thomas J. Helm, late Clerk of the County Court of Barren.

An act for the benefit of the trustees of the town of Russellville.

An act for the benefit of the Western Lunatic Asylum.

An act to authorize the county court of Fayette county to appoint a collector of railroad tax.

An act for the benefit of John P. Campbell, Samuel Shryock, and James F. Buckner, late building commissioners of the Western Lunatic Asylum.

An act for the benefit of James M. Smith and John Wesley Shelley. An act to reduce the price of vacant lands in Cumberland county.

An act to incorporate the Downingsville Turnpike road Company.

An act to provide for the removal of obstructions of navigation from Licking river.

An act authorizing the Surveyor's books of Wayne county to be transcribed.

An act authorizing the County Court of Shelby to sell the Poorhouse and grounds of said county.

An act to increase the number of Examiners in Morgan county.

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An act to incorporate the Breckenridge and Grayson County Turnpike road Company.

An act to amend the charter and laws of the city of Newport, in certain cases.

An act to incorporate a company to construct a Turnpike Road, in Barren county.

An act for the benefit of Thomas Helm, late clerk of the circuit and county courts of Lincoln, Thomas B. Nichols, late clerk of the county court of Boyle, and Reuben McCarty, late clerk of the circuit and county courts of Pendleton.

An act to amend an act incorporating the town of Sardis, in Mason county.

An act to revive and amend an act, entitled, an act to incorporate the Salt river Turnpike road Company.

An act changing the boundaries of certain election districts in Clarke county, and to change the voting place in district No. 5.

An act authorizing the Commissioners of the Sinking Fund to loan any surplus moneys they may have on hand.

An act for the benefit of James G. and Archibald G. King, executors of Heinrich C. L. Schaper, deceased.

An act for the benefit of the Treasurer of the State of Connecticut. An act for the benefit of Francis E. Hay.

An act authorizing the sale of Cranetown school house and lot, in Boyle county.

An act to amend an act, entitled, an act for the benefit of certain common school districts in Boyle and Mercer counties.

An act for the benefit of the school commissioners of Owen county.

An act authorizing the sale of Franklin school house and lot, in Boyle county.

An act authorizing the sale of the Buck creek Seminary property in Shelby county.

An act to incorporate Robert Burns Lodge, No. 163, of Ancient York Masons.

An act to incorporate the Union Mining and Manufacturing Company.

An act to incorporate the Kentucky Female Institute.

An act to incorporate the Hodgenville Turnpike road Company.

An act to incorporate the Bagdad and Harrisonville Turnpike road Company.

An act to authorize the town of Morgantown, in Butler county, to elect a police judge and town marshal.

An act to amend in part the 61st chapter of the Revised Statutes.

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An act to incorporate Hope Lodge, No. 246, of Free and Accepted Masons.

An act to incorporate the Versailles and South Elkhorn Turnpike road Company.

An act to incorporate the Agricultural Deposit Bank of Lexington.

Approved March 10, 1856.

Mr. Irvine, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate of the following titles, viz:

An act for the benefit of the Eastern Lunatic Asylum, at Lexington.

An act to incorporate the city of Paducah.

An act to incorporate the Kentucky State Agricultural Society, and to give encouragement to all the arts and sciences connected therewith.

An act to reduce into one the several acts in relation to the town of Harrodsburg.

An act to incorporate the State Mining, Manufacturing, and Building Company.

An act to prevent fraudulent assignments in trust for creditors and

other fraudulent conveyances.

An act to amend the law in relation to crimes and punishments.

An act to increase the powers of the Marshal and Police Judge in Columbia, in Adair county.

And enrolled bills which originated in the House of Representa-

tives, of the following titles, viz:

An act conferring certain power on the Monroe county court.

An act authorizing the Muhlenburg and Ohio county courts to appoint additional land processioners in said counties.

An act creating a treasurer for the county of Bracken.

An act to change the place of voting in Justices' and Election district No. 3, in Ohio county.

An act for the benefit of the assessors of the county of Union.

An act authorizing the appointment of additional processioners of lands in Lincoln county.

An act for the benefit of the county judge and justices in Ohio county.

An act to allow the trustees of the seminary of the town of Pres-

tonsburg to build a house for school and church purposes.

An act to indemnify in certain cases the owners of property in Louisville and other cities in this Commonwealth, that may be injured, taken away, or destroyed by mobs.

An act in relation to tolls on the Kentucky river improvements.

An act for the benefit of Jesse Bayles,

An act to amend the charter of the Kentucky Agricultural and Mechanical Association.

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An act to amend the charter of the Franklin Savings Institution.

An act authorizing the county court of Harrison to make sale of the poor house lands in said county.

An act to extend the boundaries of the town of Woodbury.

An act for the protection of public roads in certain counties.

An act to give further power to the Boyle County Court.

An act to legalize the February term of the Casey County Court, 1854.

An act to punish for having altered money in possession.

An act to amend article 1, chapter 58, of the Revised Statutes.

An act to authorize the Boyle county court to subscribe stock in turnpike roads.

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Irvine reported that the committee had performed that duty.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate of the following titles, viz:

An act to prevent fraudulent assignments in trust for creditors and and other fraudulent conveyances.

An act to increase the powers of the Marshal and Police Judge of Columbia, in Adair county.

That they had passed bills of the following titles: viz:

An act for the benefit of P. H. Clayton, of Bracken county.

An act concerning express companies.

An act to incorporate the Green river Mining and Manufacturing Company.

An act to empower David Cooley to perform the rites of matrimony. An act concerning the Greenup circuit court.

Bills from the House of Representatives of the following titles were severally read the first time, viz:

An act for the benefit of Rebecca Moyses.

An act to incorporate Marshall Lodge, No. 29, I. O. O. F.

An act to incorporate Corinthian Lodge, No. 74, I. O. O. F.

An act for the benefit of P. H. Clayton, of Bracken county.

An act to appoint beneficiary scholars to the Bracken Academy.

Ordered, That said bills be read a second time.

The constitutional provision as to the second and third readings of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A bill from the House of Representatives, entitled,

An act to change the fees of officers of quarterly courts in appeal cases,

Was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

The question was taken on ordering the said bill to be read a third time, and it was decided in the negative.

So the said bill was disagreed to.

A bill from the House of Representatives, entitled,

An act to amend the 676th, 677th, 678th, and 679th sections of the Code of Practice in civil cases, title "Perpetuation of Evidence,"

Was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Sudduth moved to amend said bill by adding thereto the following proviso, viz:

Provided, The party seeking to perpetuate the testimony shall pay all costs incurred.

And the question being taken on the adoption of the amendment, it was decided in the affirmative.

Mr. Allen moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Palmer and Wadsworth, were as follows, viz:

Those who voted in the affirmative, were—

Charles H. Allen, David Irvine, John Williams, Tucker Woodson, T. W. W. DeCourcey, C. J. Walton, George Wright—10.

Those who voted in the negative, were—

Robert Blain,
James F. Buckner,
William Howell,
John Q. A. King,
William C. Bullock,
Jesse W. Burton,
William C. Gillis,
James D. Hardin,
James D. Hardin,
William Howell,
John Q. A. King,
Theodore Kohlhass,
John P. Martin,
Daniel Matthewson,
Charles Ripley,
Jesse W. Silvertooth,
D. Howard Smith,
Shelby Stone,
James Sudduth,
W. H. Wadsworth,
D. K. Weis—18.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

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Resolved, That said bill do pass, and that the title thereof be as aforeaty dollars be appropriated to Iverson les bias

A message was received from the Governor by Mr. Bibb, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

EXECUTIVE DEPARTMENT, Frankfort, March 10, 1856.

Gentlemen of the Senate:

A bill has been presented to me this morning for my approval, entitled, an act to authorize Willis Peck and wife to sell two slaves. I think that the bill is in conflict with the 32d section of the second article of our constitution, which provides that "the General Assembly shall : have no power to direct the sales of estates belonging to infants, or other persons laboring under legal disabilities, by special legislation; but by general laws shall confer such powers on the courts of justice." This being a special law, authorizing the sale of a married woman's property; I cannot approve and sign the bill.

C. S. MOREHEAD.

The bill referred to in said message reads as follows, viz: An act to authorize Willis Peck and wife to sell two slaves.

Be it enacted by the General Assembly of the Commonwealth of Kentucky: That Willis Peck and Mrs. E. Peck, his wife, be and they are hereby authorized to sell two negro slaves named Mary and Louisa, the property of the said Willis Peck and wife-any law to the contrary notwithstanding. This act to take effect immediately upon its passage.

And the question being taken, shall the bill pass, the veto of the Governor to the contrary notwithstanding? it was decided in the negative.

The yeas and nays being required thereon, by the Constitution, were as follows, viz:

Those who voted in the affirmative, were-None.

Those who voted in the negative, were-

John S. Barlow, David Irvine, Robert Blain, James F. Buckner, William C. Bullock, William C. Gilliss, James D. Hardin, Wiley S. Hay, Samuel Howard,

Charles H. Allen, William Howell, D. Howard Smith, John Q. A. King, Theodore Kohlhass, W. H. Wadsworth, John P. Martin, Jesse W. Burton, Daniel Matthewson, D. K. Weis, Robert C. Palmer, John Williams, Charles Ripley, George W. Silvertooth, George Wright—28.

Shelby Stone, James Sudduth, C. J. Walton, Tucker Woodson,

The Senate, according to order, took up for consideration a bill from the House of Representatives, entitled,

An act for the appropriation of money.

Mr. King moved to amend said bill by adding the following, viz:

That the sum of twenty dollars be appropriated to Iverson Jones for the use of servant in waiting on the Senate and House of Representatives during the present session.

And the question being taken on the adoption thereof, it was decided in the affirmative.

Mr. Blain moved further to amend said bill as follows, viz:

That the sum of forty dollars be appropriated to George F. Lee, to pay a portion of the expenses of Dr. H. B. Wilbur, for coming to Frankfort to lecture before the members of the Legislature on the subject of educating idiotic children.

And the question being taken on the adoption thereof, it was decided in the affirmative.

Mr. Woodson moved further to amend said bill, by adding thereto the following, viz.

Be it further enacted, That in view of the increased duties required by law of the Quartermaster-General of this Commonwealth, that his salary be increased two hundred dollars per annum, to be paid quarterly.

And the question being taken on the adoption thereof, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Woodson and Allen, were as follows, viz:

Those who voted in the affirmative, were—William C. Bullock, Tucker Woodson—2.

Those who voted in the negative, were-

George W. Silvertooth, Charles H. Allen, Wiley S. Hay, Samuel Howard, Shelby Stone, John S. Barlow, James Sudduth, Robert Blain, William Howell. James F. Buckner, Jesse W. Burton, W. H. Wadsworth, David Irvine, Theodore Kohlhass, C. J. Walton, John P. Martin, D. K. Weis, T. W. W. DeCourcey, John P. Martin, Daniel Matthewson, John Williams, William C. Gillis, James D. Hardin. Robert C. Palmer, George Wright-24.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the Constitution, were as follows, viz:

Those who voted in the affirmative, were-

John S. Barlow, Samuel Howard, D. Howard Smith, Robert Blain, William Howell, Shelby Stone, James F. Buckner, David Irvine, James Sudduth,

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William C. Bullock,
John Q. A. King,
W. H. Wadsworth,
John Williams,
William C. Gilliss,
Wiley S. Hay,
George W. Silvertooth, George Wright—21.

Those who voted in the negative, were—

Charles H. Allen, John P. Martin, C. J. Walton, T. W. W. DeCourcey, Daniel Matthewson, D. K. Weis—8. James D. Hardin, Robert C. Palmer.

Resolved, That the title of said bill be as aforesaid.

A message was received from the House of Representatives, announcing that they had receded from their disagreement to the amendment proposed by the Senate to a bill from the House of Representatives, entitled,

An act in relation to the tolls on the Kentucky river Improvement. That they had concurred in the amendment proposed by the Senate to a bill from that House entitled,

An act for the benefit of Jesse Bayles.

That they had receded from their amendment proposed to a bill from the Senate, entitled,

An act to amend 68th chapter Revised Statutes.

The Senate took up for consideration a bill to amend the law in relation to brokers,

Which reads as follows, viz:

Whereas, It appears to the present General Assembly that the existing statute law in relation to brokers is deffective. Therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky: That the first, second and third sections of the fourth article of chapter 83, of the Revised Statutes, are hereby repealed; and the following provisions substituted in lieu thereof.

§ 2. That no person shall, directly or indirectly, exercise the business of a broker or exchange dealer, by purchase or sale of bills of exchange, drafts, checks, State or United States stocks, treasury notes, bank notes, or any such instruments, or money, or in any way or by any other means, carry on or conduct the business of a broker, without a license obtained as hereinafter provided.

§ 3. If any person intends to conduct or engage in the business of a broker, within this Commonwealth, he shall make out, in writing, a full and clear statement of the amount of capital he intends to use in said business; and that he intends to transact the business at a certain place within a certain named county, and name the place specifically where he intends to do the business, and that he intends in good faith to conduct the business of a broker at such named place, and there only, without a further license, and shall date and sign the statement, and make affidavit to the truth of the statement, before the Clerk of the County Court of such county; and shall pay to said Clerk a sum of money equal to per cent. of the amount of capital he intends to use: whereupon, the Clerk shall issue a license to such person to exercise the business of a broker at such place, for the term of one year from the date of the license; which license the Clerk shall record and

deliver to such applicant, for which service the Clerk shall be entitled to be paid by the broker.

§ 4. That if such broker shall, at any time within said year, wish to use a larger capital than that specified in his statement, he shall be at

liberty to do so, in view of the provisions of this act.

§ 5. That each and every broker so licensed shall, at the end of the term of his license, make a further statement, under oath, of the amount of capital he has used in said business during the term of his license; and if the amount be greater than the sum named in the license, he shall pay to the Clerk aforesaid, on such excess of capital used. All taxes so paid in shall be paid over to the State Treasury.

§ 6. That if any person shall presume to exercise or carry on the business of a broker, in any part of this Commonwealth, without a license obtained as aforesaid, or shall in any way violate the provisions, or any of the provisions of this act, he shall be fined a sum equal of the capital used by such person, if that amount can be shown to the court trying the matter; and if such amount cannot be shown, then the fine shall be assessed by the jury trying the case, at any sum not less than dollars.

§ 7. It shall be the duty of Commonwealth Attorneys to examine the lists of licenses to brokers in each county of the State, and to prosecute for all violations of this statute, and as compensation for their services, they shall respectively be entitled to per cent. of all

fines collected under this act.

§ 8. That merchants, traders in produce or cattle, horses, mules, or other animals, or provisions, who, in the legitimate exercise of their business, purchase or sell exchange for remittance, or for any purpose to facilitate transactions in their business, shall not be deemed brokers within the meaning of this act.

Mr. Irvine moved to amend said bill by striking out one-quarter and inserting one-half.

And the question being taken on the adoption thereof, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Sudduth and Irvine, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen,
John S. Barlow,
John P. Martin,

C. J. Walton,
John Williams,
Tucker Woodson,
Whight—14 John S. Barlow,
James F. Buckner,
John P. Martin,
Tucker Woodson,
George Wright—14. James D. Hardin, James Sudduth,

Those who voted in the negative, were-

William C. Bullock, William Howell, D. Howard Smith, William C. Gilliss, John Q. A. King, Shelby Stone, Wiley S. Hay, Daniel Matthewson, W. H. Wadsworth, Samuel Howard, Charles Ripley, D. K. Weis-12.

Mr. Matthewson moved to lay said bill and amendment on the table from the date of the license; which license the Clerk shall record and And the question being taken thereon, it was decided in the nega-

The year and nays being required thereon by Messrs. Matthewson and Barlow, were as follows, viz:

Those who voted in the affirmative, were-

Daniel Matthewson, W. H. Wauswort, John Williams—8. Wiley S. Hay, Samuel Howard, John Q. A. King, Shelby Stone,

Those who voted in the negative, were-

Charles H. Allen, James D. Hardin, D. Howard Smith, William Howell, John S. Barlow, James Sudduth, James F. Buckner, David Irvine, C. J. Walton, Theodore Kohlhass, D. K. Weis, Wm. C. Bullock, Jesse W. Burton, John P. Martin, Tucker Woodson, William C. Gilliss, Robert C. Palmer, George Wright—18.

Ordered. That said bill, as amended, be engrossed and read a third time.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to a bill from that House, entitled,

An act to amend the 676th, 677th, 678th, and 679th sections of the Code of Practice in civil cases, title, Perpetuation of Evidence.

That they had receded from the amendment proposed by that House to a bill from the Senate, entitled,

An act to prevent the selling and using of certain weapons.

That they had passed a bill from the Senate, entitled, An act relating to the late keeper of the Penitentiary. That they had passed bills of the following titles, viz:

An act to incorporate the Hebra Nehema, or Consolation Rendering Society.

An act for the benefit of the Concord Church, of Madison county.

Mr. Irvine, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, to-wit:

An act to incorporate the Hiawatha Mining Company.

An act to incorporate the Kentucky and Virginia Coal Mining and Oil Manufacturing Company.

An act for the benefit of the Northern Kentucky Coal Mining Company.

An act to incorporate the Lexington and Frankfort Turnpike Road Extension Company.

An act to incorporate the Lebanon and Maxville Turnpike Road Company.

An act to incorporate the Ballard and Graves county Railroad Company.

An act to amend an act to incorporate the Muldrough's Hill. Campbellsville, and Columbia Turnpike Road Company.

An act to amend an act to incorporate the Kentucky Coal Company, of Union county, approved March 1, 1850.

An act to incorporate the Paris and Bethlehem Turnpike Road Company.

An act to incorporate the Nashville and Rowena Coal Company.

An act to incorporate the Edmonton and Woodsonville Turnpike Road Company.

An act declaring Wolf Creek, in Lawrence county, a navigable stream.

An act to reorganize Transylvania University, and establish a school for teachers.

An act for the benefit of E. C. Ashcraft.

An act to incorporate the Cruise's Knob and Somerset Turnpike Road Company.

An act to incorporate the Lancaster and Buckeye Turnpike Road Company.

An act to incorporate the Bryantsville and Boyle County Turnpike Road Company.

An act for the benefit of John Elison, of Lawrence county. An act for the benefit of James N. Early, of Boone county.

An act for the benefit of William Harman and Samuel B. Hughes. An act for the benefit of J. P. Hammons.

An act to amend the charter of the town of Brooksville, in Bracken county.

An act to protect the growers of sheep in Fayette county. An act for the benefit of P. H. Clayton, of Bracken county.

An act to authorize the Garrard county court to subscribe stock in turnpike roads.

An act to create the offices of police judge and town marshal, in the town of Lewisport, in Hancock county.

An act to incorporate the Jefferson County Association.

An act to authorize the County Court of Hopkins to sell the poorhouse and the land on which it is situated.

An act to incorporate Marshall Lodge, No. 29, I. O. O. F.

An act to amend an act, entitled, an act to incorporate the Kentucky Mechanics' Institute, at Louisville.

An act to incorporate the Rough and Ready Coal Mining Company, of Union county.

An act regulating the time of Sheriffs paying in the revenue to the Treasury, and fixing their compensation.

An act for the benefit of Jacob Corbett, of Ballard county.

An act to amend the law in relation to Public Buildings.

An act to incorporate Corinthian Lodge, No. 74, I. O. O. F.

An act for the benefit of Alfred Miller, late sheriff of Muhlenburg county.

An act to incorporate the town of Gordonsville.

An act for the benefit of the town of Tompkinsville.

An act to incorporate the Lafayette Male Academy, in Christian county.

An act to amend the act creating a town marshal in Hartford.

An act for the benefit of Rebecca Moyses.

An act authorizing the Muhlenburg county court to re-district said county, and creating an additional district.

An act to amend the 676th, 677th, 678th, and 679th sections of the Code of Practice in civil cases, title "Perpetuation of Evidence."

An act for the benefit of A. L. Offutt, late sheriff of Scott county.

An act to appoint beneficiary scholars to the Bracken Academy.

An act to incorporate the Bracken County Insurance Company.

An act to incorporate the Columbia Fair Ground Association.

An act to incorporate the Home Insurance and Trust Company, of Louisville.

And enrolled bills and a resolution which originated in the Senate, of the following titles, viz:

An act relating to the late Keeper of the Penitentiary.

An act to prevent the selling and using of certain weapons.

An act to incorporate the Russellville, Elkton, Hopkinsville aud Paducah Railroad Company.

An act to amend and reduce into one the several acts incorporating the town of Dover, Mason county.

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Irvine reported that the committee had performed that duty.

A message was received from the House of Representatives, announcing that they had concurred in the 2d, 4th and 5th amendments and disagreed to the 1st and 3d proposed by the Senate to a bill from that House, entitled,

An act for the appropriation of money.

Resolved. That the Senate recede from the 1st and 3d amendments to said bill.

Mr. Wadsworth meved the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky: That the banks of this State, by usurious dealings in bills to an unprecedented and alarming extent, have perverted the great powers and privileges conferred upon them by their charters, and disappointed the just expectations of the people of Kentucky.

And the question being taken on the adoption thereof, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Stone and Wadsworth, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen, Samuel Howard. Shelby Stone, Theodore Kohlhass, Robert Blain. James Sudduth. Robert C. Palmer, W. H. Wadsworth, James F. Buckner, William C. Bullock, Charles Ripley, C. J. Walton, Jesse W. Burton, George W. Silvertooth, D. K. Weis, T. W. W. DeCourcey, D. Howard Smith, Tucker Woodson-19. James D. Hardin,

Those who voted in the negative, were-

John Q. A. King-2.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

> EXECUTIVE DEPARTMENT, March 10th, 1856.

Gentlemen of the Senate:
I nominate for your advice and consent Virgil McKnight and Urbin E. Ewing, to be Directors on the part of the State, of the Bank of Kentucky.

Madison C. Johnson and Thomas G. Randall to be Directors on the part of the State, of the Northern Bank of Kentucky.

John B. Bibb, Richard W. Courts and Richard T. Higgins to be Directors on the part of the State, of the Southern Bank of Kentucky.

Philip Swigert and Madison C. Johnson to be Directors on the part of the State, of the Lexington and Frankfort Railroad.

John Word to be Gatekeeper on the Wilderness Turnpike road. Robert A. Jones to be Clerk of the Penitentiary in place of S. I. M. Major, whose term has expired.

C. S. MOREHEAD.

The question was then taken on advising and consenting to the nomination of Virgil McKnight, as one of the Directors on the part of the State, of the bank of Kentucky, and it was decided in the negative.

The yeas and nays being required thereon, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain, David Irvine, Charles Ripley, James F. Buckner, John Q. A. King, D. Howard Smith, Samuel Howard, Theodore Kohlhass, Shelby Stone—9.

Those who voted in the negative, were-

Charles H. Allen, William C. Bullock, James D. Hardin, John P. Martin, Tucker Woodson, W. H. Wadsworth, Robert C. Palmer, C. J. Walton, George W. Silvertooth, D. K. Weis, James Sudduth, John Williams—12.

The question was then taken on advising and consenting to the nomination of Thomas G. Randall, to be a Director on the part of the State of the Northern Bank of Kentucky, and it was decided in the negative.

The yeas and nays being required thereon, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain, John Q. A. King, Charles Ripley, James F. Buckner, Theodore Kchlhass, Samuel Howard, John P. Martin, Tucker Woodson—11.

Those who voted in the negative, were-

Charles H. Allen, George W. Silvertooth, C. J. Walton, William C. Bullock, James D. Hardin, Robert C. Palmer, W. H. Wadsworth, John Williams—10.

The question was then taken on advising and consenting to the nomination of Robert A. Jones to be clerk of the Penitentiary, and it was decided in the affirmative.

The yeas and nays being required thereon, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain,
James F. Buckner,
William C. Bullock,
Jesse W. Burton,
Samuel Howard,
David Irvine,
John Q. A. King,
James Sudduth,
Theodore Kohlhass,
George W. Silvertooth, John Williams,
D. Howard Smith,
Tucker Woodson—15.

Those who voted in the negative, were-

Charles H. Allen, John P. Martin, C. J. Walton, James D. Hardin, Robert C. Palmer, D. K. Weis-6.

Resolved, That the Senate advise and consent to the nomination of Urban E. Ewing, to be Director on the part of the State of the Bank of Kentucky; Madison C. Johnson, to be Director on the part of the State of the Northern Bank of Kentucky; John B. Bibb, Richard W. Courts and Richard T. Higgins, to be Directors on the part of the State of the Southern Bank of Kentucky; Philip Swigert and Madison C. Johnson to be Directors on the part of the State of the Lexington and Frankfort Railroad; John Word to be gate-keeper on the Wilderness Turnpike Road.

Mr. Woodson moved a re-consideration of the vote rejecting a bill for the benefit of the Keeper of the Kentucky Penitentiary.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided by the Speaker that the bill had not passed, it requiring a vote of a majority of all the Senators elect to pass said bill.

The yeas and nays being required thereon, were as follows, viz:

Those who voted in the affirmative, were-

Robert Blain,	Samuel Howard,	D. Howard Smith,
James F. Buckner,	David Irvine,	Shelby Stone,
William C. Bullock,	John Q. A. King,	W. H. Wadsworth,
Jesse W. Burton,	Theodore Kohlhass,	C. J. Walton,
William C. Gillis,	Robert C. Palmer,	John Williams,
James D. Hardin,	Charles Ripley,	Tucker Woodson-18.

Those who voted in the negative, were-

Charles H. Allen,	George W. Silvertooth,	D.	K.	Weis-5.
 John P. Martin,	James Sudduth.			- LONGERY O

From this decision of the chair Mr. Blain appealed, on the ground that it did not require a constitutional majority to pass said bill.

And the question being taken, shall the decision of the chair stand

The yeas and nays being required thereon, were as follows, viz: as the judgment of the Senate? it was decided in the affirmative.

Those who voted in the affirmative, were-

Charles H Allen,	Theodore Kohlhass,	James Sudduth.
William C. Gilliss,	73 7 7 73 7	C. J. Walton.
James D. Hardin,	George W. Silvertooth,	D. K. Weis-11.
John Q. A. King,	Shelby Stone.	

Those who voted in the negative, were-

Robert Blain,	John P. Martin,	W. H. Wadsworth,
Jesse W. Burton,	Charles Ripley,	John Williams,
Samuel Howard, David Irvine,	D. Howard Smith,	Tucker Woodson—10.

So the said bill was rejected.

A message was received from the House of Representatives, announcing that they had concurred in a resolution from the Senate, in relation to the bank of Kentucky.

The Senate took up for consideration a bill to regulate the fees of Constables, Justices of the Peace and County Judges.

On motion of Mr. Walton, said bill was laid upon the table.

Bills from the House of Representatives, of the following titles, were severally read the first time, viz:

An act concerning express companies.

An act concerning the Greenup circuit court.

An act to empower David Cooley to perform the rites of matrimony. An act to incorporate the Green River Mining and Manufacturing Company.

An act for the benefit of the Concord Church, of Madison county.

An act to incorporate the Hebra Nehema or Consolation Rendering Society.

Ordered, That said bills be read a second time.

The constitutional provision as to the second and third readings of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bullock, from the committee on the Judiciary, reported a bill to amend the 4th article of the Revised Statutes, under the head of "Revenue and Taxation."

Mr. King moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

Ordered, That said bill be read a second time.

The constitutional provision as to the second and third readings of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. King and Smith, were as follows, viz:

Those who voted in the affirmative, were-

Charles H. Allen,
Robert Blain,
William C. Bullock,
Jesse W. Burton,
William C. Gilliss,
Samuel Howard,
David Irvine,

Theodore Kohlhass,
James Sudduth,
W. H. Wadsworth,
C. J. Walton,
Charles Ripley,
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Charles Ripley,
Button,
Charles Ripley

Those who voted in the negative, were-

James F. Buckner, John Q. A. King-2.

Resolved, That the title of said bill be as aforesaid.

Mr. Wadsworth reported a bill for the benefit of Fayette county.

Which were read the first time, and ordered to be read a second time.

The constitutional provision as to the second and third readings of

The constitutional provision as to the second and third readings of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as afore-said.

A bill from the House of Representatives, entitled,

An act for the benefit of P. H. Clayton, of Bracken county.

Was read the first time, and ordered to be read a second time. On motion of Mr. Buckner, said bill was laid on the table.

The Senate took up for consideration a resolution from the House of Representatives in relation to the Eastern and Western Lunatic Asylums.

On motion, said resolution was laid on the table.

Mr. Wadsworth moved a reconsideration of the vote disagreeing to a bill from the House of Representatives, entitled,

An act for the benefit of millers.

And the question being taken thereon, it was decided in the negative.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate entitled,

An act for the benefit of Fayette county.

Mr. Burton reported a bill to incorporate the Ewing Female Institute, at Perryville.

Mr. King reported a bill to amend the Deposit Bank, at Covington. Which were read the first time and ordered to be read a second time. The constitutional provision as to the second and third readings of

The constitutional provision as to the second and third readings of said bills being dispensed with, and the same being engrossed.

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State, announcing that he had approved and signed sundry enrolled bills which originated in the Senate of the following titles, viz:

An act to incorporate the Kentucky State Agricultural Society, and to give encouragement to all the arts and sciences connected therewith.

An act to amend an act to establish a Sinking Fund for Bourbon county, and to provide for the appointment of commissioners thereof.

An act for the benefit of the Eastern Lunatic Asylum, at Lexington. An act to amend 68th chapter Revised Statutes.

An act to incorporate the city of Paducah.

An act to increase the powers and jurisdiction of the Mayor of the city of Newport.

An act to incorporate a Deposit Bank in the town of Mount Sterling, to be called the Exchange Bank of Kentucky.

An act to incorporate the State Mining, Manufacturing, and Building Company.

An act to increase the powers of the Marshal and Police Judge in Columbia, in Adair county.

An act to amend the law in relation to crimes and punishments.

An act to reduce into one the several acts in relation to the town of Harrodsburg.

An act to repeal all laws to license Billiard tables, Bowling Saloons and Jenny Lind tables.

An act to authorize the appointment of an additional Commissioner for the Jefferson County Court.

An act for the benefit of the law department of the University of Louisville.

An act to incorporate the Clay Fire and Marine Insurance Company, of Newport.

An act to charter the Williamsburg, Cumberland river, and Tennessee Railroad Company.

An act to prevent fraudulent assignments in trust for creditors and other fraudulent conveyances.

An act relating to the late keeper of the Penitentiary.

An act to prevent the selling and using of certain weapons.

An act to incorporate the Bell Mine Coal Company, of Crittenden county.

An act to amend and reduce into one the several acts incorporating the town of Dover, Mason county.

Resolution in relation to the Banks of Kentucky.

An act to amend the Deposit Bank of Covington.

An act to incorporate the Savings Bank of Kentucky, at Covington.

An act for the benefit of Fayette county.

An act to incorporate the Ewing Female Institute, at Perryville.

Approved March 10, 1856.

A message was received from the House of Representatives announcing that they had passed bills from the Senate of the following titles. viz:

An act to incorporate the Ewing Female Institute, at Perryville.

An act to amend the Deposit Bank, at Covington.

A message was received from the Governor by Mr. Bibb, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

> EXECUTIVE DEPARTMENT, March 10th, 1856.

Gentlemen of the Senate:

I nominate for your advice and consent the following persons to be

Notaries Public for the counties named: E. S. Fletcher, Greenup; Lycurgus C. Valdemar, Greenup; George H. McKinney, Lincoln.

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I also nominate for your advice and consent Henry T. Duncan to be a Director on the part of the State in the Northern Bank of Kentucky; and Richard T. Knott to be a Director on the part of the State, in the Bank of Kentucky.

C. S. MOREHEAD.

Resolved, That the Senate advise and consent to said appointments. Mr. Irvine, from the committee on Enrollments, reported that the committee had examined enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the Concord Church, of Madison county.

An act concerning express companies.

An act to incorporate the Hebra Nehema or Consolation Rendering Society.

An act to incorporate the Green river Mining and Manufacturing Company.

An act for the appropriation of money.

Resolution authorizing the sale of old arms, &c., in the arsenal.

And enrolled bills and a resolution which originated in the Senate, of the following titles, viz:

An act for the benefit of Fayette county.

An act to incorporate the Ewing Female Institutute, at Perryville.

An act to amend the Deposit Bank at Covington.

Resolution in relation to the banks of Kentucky.

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Irvine reported that the committee had performed that duty.

A message was received from the House of Representatives, announcing that they had received official information the Governor, that he had approved and signed enrolled bills and resolutions which originated in the House of Representatives, of the following titles, viz:

An act to incorporate Ringgold Lodge, No. 27, I. O. O. F.

An act to incorporate the Section Dock Company, at Smithland.

An act to incorporate the Falmouth and Milford Turnpike road Com-

An act for the benefit of trustees of the town of Princeton.

An act for the benefit of the town of Calhoon.

An act to abolish a ferry on the Ohio river, in Meade county.

An act to authorize the President of the Board of Internal Improvement to purchase a certain lot of land at lock No. 3, on Green river. An act extending the mechanics' lien law to the town of Lebanon and Marion county.

An act to incorporate Taylor Lodge, No. 34, I. O. O. F.

An act to increase the powers of the Marshal of the town of Mountsterling.

An act to provide for the service of process against steamboats.

An act to incorporate Schiller Lodge, No. 64, I. O. O. F.

An act to incorporate Rusling Lodge, No. 112, I. O. O. F.

An act for the benefit of the mechanics of McLean county.

An act for the benefit of the County Court of Montgomery.

An act directing the boundary line between the counties of Butler and Ohio, to be run and re-marked.

An act for the benefit of the administrator of John M. Dyer, deceased.

An act to incorporate the Rough Creek Navigation and Manufacturing Company.

An act to incorporate the Falmouth and Claysville Turnpike road Company.

An act to authorize the County Court of Montgomery county to subscribe stock to turnpike roads in that county, and to levy a tax to pay such subscriptions.

An act to incorporate Ion Lodge, No. 301, of Free and Accepted Masons.

An act to amend chapter one hundred and three of the Revised Statutes, title "Turnpike and Plank Roads."

An act to amend an act authorizing the Oakland Plank Road Company to construct a branch road.

An act to incorporate Bagdad and Harrisonville Turnpike Road Company.

An act for the benefit of Vincent Taylor, of Cumberland county.

An act to change the August term of the Bullitt county court.

An act to incorporate the Second Presbyterian Church, at Covington.

An act to change the time of holding the Whitley Quarterly Courts. An act for the benefit of George Early.

An act to regulate the duties of county and commonwealth's attorneys.

An act for the benefit of the iron masters of Muhlenburg county.

An act for the benefit of the kindred of Louisa Smith.

An act to incorporate Bigham Lodge, No. 256, of Free and Accepted Masons.

An act to incorporate the town of Baltimore, in Hickman county.

An act concerning the town of Versailles.

An act for the benefit of the estate of Joseph Robb, dec'd.

An act for the benefit of the town of Bradfordsville.

An act for the benefit of the heirs of Benoni Hotchkiss and A. F. Gowdy.

An act to incorporate Loraine Lodge, No. 4, of the I. O. O. F.

An act for the benefit of James M. Speer, late sheriff of Oldham county.

An act for the benefit of W. B. A. Baker, late Sheriff of Mason county.

An act to amend the 42d chapter of the Revised Statutes.

An act for the benefit of the trustees of the town of Boston, Whitley county.

An act in relation to the Kentucky Penitentiary.

An act to repeal the act incorporating the town of Fillmore, in Boone county.

Approved March 8, 1856.

An act for the benefit of the Louisville and Cane Run Plank Road Company.

An act to incorporate the town of Hazel Green.

An act to incorporate the Harrodsburg Springs Company.

An act to incorporate the People's Insurance Company.

An act to incorporate the Young America Insurance Company.

An act to incorporate the Kentucky and Henderson Mutual Insurance Company.

An act to incorporate the Maysville Marine and Life Insurance Com-

pany.

An act to reduce the price of vacant lands in the counties of John-

son and Floyd.

An act to authorize the County Court of Floyd county to establish a ferry on Big Sandy river.

An act to incorporate Christ Church, Louisville.

An act to incorporate Tompkinsville Lodge, No. 321, of Free and Accepted Masons.

An act to authorize the county courts of Powell, Owsley, Morgan, Breathitt, Perry, and Letcher counties to construct a road from Stanton, in Powell county, to the Virginia State line.

An act incorporate Saint Paul's Church, Louisville.

An act for the benefit of certain sheriffs of this Commonwealth.

An act for the benefit of the Methodist Episcopal Church South, at Hartford.

An act declaring Rockcastle creek, in Johnson county, navigable.

An act to amend the charter of the Twelve Mile Turnpike Company.

An act to incorporate the Kenton County Agricultural Society.

An act to cause writings to be made in the English language.

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An act to incorporate the Louisville Bridge Company.

An act to incorporate the Commissioners of the Sinking Fund for Montgomery county.

An act declaring Licking river, in Floyd county, navigable. An act for the benefit of school district in Jefferson county.

An act to incorporate the Green river Education Society.

An act to amend the charter of the Versailles and Anderson Turnpike Road Company.

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An act to amend an act, entitled, an act to establish the town of Frederick, in Barren county, approved 6th February, 1839.

An act for the benefit of the administrators of John Gilbert, dec'd.

Approved March 10, 1856.

An act to reduce the width of High street, in Louisville.

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An act to incorporate the Union Insurance Company of Louisville.

An act to authorize the County Judge to extend the boundary of the election precincts in Ohio county.

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An act supplemental to the act in relation to Billiard Tables, Bowling Saloons, and Jenny Lind tables.

An act for the benefit of Nicholas Combs, late sheriff of Perry county.

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An act to incorporate the Hiawatha Mining Company.

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An act to incorporate the Union and Big Bone Turnpike Company. An act to incorporate the Minerva Seminary, in Mason county.

An act to amend the charter of the Eagle creek and New Liberty Turnpike Road Company.

An act in relation to Franklin Academy, in the town of Washington.

An act to amend an act, entitled, an act to incorporate the Mayslick Male and Female Academy, approved March 4, 1854.

An act to increase the jurisdiction of justices of the peace in Jefferson county, and the city of Louisville.

An act to reorganize Transylvania University, and establish a school for teachers.

An act to incorporate the Western Insurance Company.

An act to amend an act to incorporate the Muldrough's Hill. Campbellsville, and Columbia Turnpike Road Company.

An act to amend an act to incorporate the Kentucky Coal Company, of Union county, approved March 1, 1850.

An act supplemental to an act appropriating the revenue of Muldrough's Hill Turnpike Road to Taylor county.

An act to give the Henderson County Court power to appoint processioners.

An act to change the time of holding the Washington Quarterly Court and County Court.

An act to authorize the County Court of Christian county to establish a road through certain lands in said county.

An act to incorporate the Kentucky River Coal and Lumber Company.

An act to regulate the office of the Kenton County Court clerk.

An act to amend an act, entitled, an act to incorporate the Kentucky Union Railway Company, approved March 10, 1854.

An act for the benefit of Nicholas Sandifer.

An act to change the boundary of Perry county.

An act for the benefit of Robert Scott, of Clarke county.

An act repealing an act, entitled, an act to prevent the destruction of fish in Salt river, approved March 6, 1854.

An act to provide for paying the debts due to the contractors of the Western Lunatic Asylum.

An act for the benefit of the county of Franklin.

An act for the benefit of the trustees of the Methodist Episcopal Church, South, at Maysville.

An act to incorporate the Livingston Coal Mining Company.

An act to incorporate the Princeton and Eddyville Turnpike Road Company.

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An act to legalize the February term of the Casey County Court, 1854.

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An act to extend the boundaries of the town of Woodbury.

An act to amend an act, entitled, an act to incorporate the Lexington and Frankfort Railroad Company.

An act to amend the charter of the Covington and Lexington Railroad Company.

An act to incorporate the Catlettsburg and Louisa Turnpike Road Company.

An act for the benefit of John S. Dorman.

An act to amend an act, entitled, an act to incorporate the Bryantsville and Cane Run Turnpike Road Company.

An act to amend the charter of the Elizabethtown and Bell's Tavern Turnpike Road Company.

An act for the benefit of certain clerks of this Commonwealth.

An act for the benefit of the town of Prestonsburg.

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An act legalizing the locality of the first toll-gate from Danville to Crab Orchard.

An act changing the times of holding the County Courts in Montgomery county.

An act for the benefit of David Baily, sheriff of Harlan county.

An act to incorporate the Public Church and School House Company.

An act to indemnify in certain cases the owners of property in Louisville and other cities in this Commonwealth, that may be injured, taken away, or destroyed by mobs.

An act to amend the charter of the Kentucky Agricultural and Mechanical Association.

An act to authorize the Boyle county court to subscribe stock in turnpike roads.

An act to amend the charter of the Franklin Savings Institution.

An act to punish for having altered money in possession.

An act to amend article 1, chapter 58, of the Revised Statutes.

An act to amend and reduce into one the several acts concerning the town of Taylorsville.

An act to incorporate the Ballard and Graves county Railroad Company.

An act for the benefit of John Elison, of Lawrence county.

An act for the benefit of James N. Early, of Boone county.

An act for the benefit of the county judge and justices in Ohio county.

An act to allow the trustees of the seminary of the town of Prestonsburg to build a house for school and church purposes.

An act for the benefit of the assessors of the county of Union.

An act authorizing the appointment of additional processioners of lands in Lincoln county.

An act to incorporate the Bryantsville and Boyle County Turnpike Road Company.

An act for the benefit of J. P. Hammons.

An act for the benefit of William Harman and Samuel B. Hughes. An act to incorporate the Lancaster and Buckeye Turnpike Road Company.

An act creating a treasurer for the county of Bracken.

An act to change the place of voting in Justices' and Election district No. 3, in Ohio county.

An act conferring certain power on the Monroe county court.

An act authorizing the Muhlenburg and Ohio county courts to appoint additional land processioners in said counties.

An act to incorporate the Cruise's Knob and Somerset Turnpike Road Company.

An act to incorporate the Paris and Bethlehem Turnpike Road Company.

An act to incorporate the Edmonton and Woodsonville Turnpike Road Company.

An act to incorporate the Nashville and Rowena Coal Company.

An act for the benefit of P. H. Clayton, of Bracken county.

An act to appoint beneficiary scholars to the Bracken Academy.

An act for the benefit of A. L. Offutt, late sheriff of Scott county.

An act to protect the growers of sheep in Fayette county.

An act to change the voting place in the 10th district, in the county of Breckenridge.

An act to amend the law in relation to Public Buildings.

An act to authorize the County Court of Hopkins to sell the poorhouse and the land on which it is situated.

An act for the benefit of Jacob Corbett, of Ballard county.

An act to amend an act, entitled, an act to incorporate the Kentucky Mechanics' Institute, at Louisville.

An act to authorize the Garrard county court to subscribe stock in turnpike roads.

An act for the benefit of Alfred Miller, late Sheriff of Muhlenburg county.

An act authorizing the Muhlenburg county court to re-district said county, and creating an additional district.

An act to incorporate the Columbia Fair Ground Association.

An act to create the offices of police judge and town marshal, in the town of Lewisport, in Hancock county.

An act to incorporate the Rough and Ready Coal Mining Company, of Union county.

An act for the benefit of the town of Tompkinsville.

An act to amend the charter of the town of Brooksville, in Bracken county.

An act establishing a police court in Catlettsburg.

An act to empower David Cooley to perform the rites of matrimony.

An act to incorporate the Jefferson County Association.

An act to amend the act creating a town marshal in Hartford.

An act for the benefit of George Neithercult, of Carter county.

An act to amend the 676th, 677th, 678th, and 679th sections of the Code of Practice in civil cases, title "Perpetuation of Evidence."

An act to incorporate the town of Gordonsville.

An act to incorporate the Home Insurance and Trust Company, of Louisville.

An act to incorporate Corinthian Lodge, No. 74, I. O. O. F.

An act to incorporate Marshall Lodge, No. 29, I. O. O. F.

An act to incorporate the Bracken County Insurance Company.

An act for the benefit of Rebecca Moyses.

An act for the benefit of the Concord Church, of Madison county.

An act concerning the Greenup Circuit Court.

An act for the appropriation of money.

An act concerning express companies.

Resolution authorizing the sale of old arms, &c., in the Arsenal.

An act to incorporate the Hebra Nehema, or Consolation Rendering Society.

An act to incorporate the Green river Mining and Manufacturing Company.

Approved March 10, 1856.

Mr. Irvine moved the following resolution, to-wit:

Resolved, That we hereby cordially tender to the Hon. James G. Hardy, Lieutenant Governor and Speaker of the Senate, our thanks for the dignified and impartial manner in which he has presided over the deliberations of the Senate.

Which was adopted.

Mr. Stone moved the following resolution, to-wit:

Resolved, That the thanks of the Senate are due, and they are hereby tendered to Dr. J. Russel Hawkins, Clerk, George H. McKinney, Assistant Clerk, and Thomas J. Helm, Clerk pro-tem, during the illness of the Clerk of the Senate, John W. Pruett, Doorkeeper, and John D. M'Clure, Sergeant-at-Arms, for the able and faithful discharge of the duties of their respective offices, and for their uniform courtesy and kindness to the members composing this body.

Which was adopted.

Mr. King moved the following resolution, to-wit:

Resolved, That the thanks of the Senate be tendered to Theodore Kohlhass and John S. Barlow, Senators from the counties of Clarke and Barren, for their able, dignified, and impartial bearing, as Speakers of the Senate during the illness of the Lieut. Governor.

Which was adopted.

Mr. Smith offered the following resolution, to-wit:

Resolved. That the thanks of the Senate are due, and they are hereby tendered to the Ministers of the Gospel, who have attended, and opened the meetings of this body with prayer.

Which was adopted.

Mr. Kohlhass moved the following resolution, to-wit:

Resolved, That the thanks of the Senate are due, and hereby tendered to John M. Todd, Reporter of the Daily Commonwealth, for the able and faithful discharge of his duties, and for his uniform courtesy and politeness towards the members of this body, during the present session.

Which was adopted.

Mr. Wadsworth moved the following resolution, to-wit:

Resolved, That the thanks of the Senate are tendered to J. B. Major, for the able and impartial manner in which he has discharged the duties of Reporter for the Yeoman.

Which was adopted.

A message was received from the House of Representatives by Mr. Bodley, announcing that they had closed their Legislative business, and

were now ready to close the present session of the General Assembly, by an adjournment on their part without day, and had appointed a committee, on their part, to act in conjunction with a similar committee on the part of the Senate, to wait on the Governor and to inform him of the proposed adjournment of the General Assembly, and to know of him if he had any other or further communication to make

Ordered, That Mr. Buckner inform the House of Representatives that the Senate had also closed their Legislative business, and were now ready to close the present session of the General Assembly by an adjournment without day.

Whereupon, Messrs. Smith, Buckner, and Kohlhass, were appointed a committee, on the part of the Senate, to wait on the Governor.

The committee then retired, and after a short time returned, when Mr. Smith reported that the committee had performed the duty assigned them, and were informed by the Governor that having from time to time, during the present session, communicated his views to the General Assembly, he had now no further communication to make.

Whereupon the Speaker having delivered a valedictory address, Adjourned the Senate without day.

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